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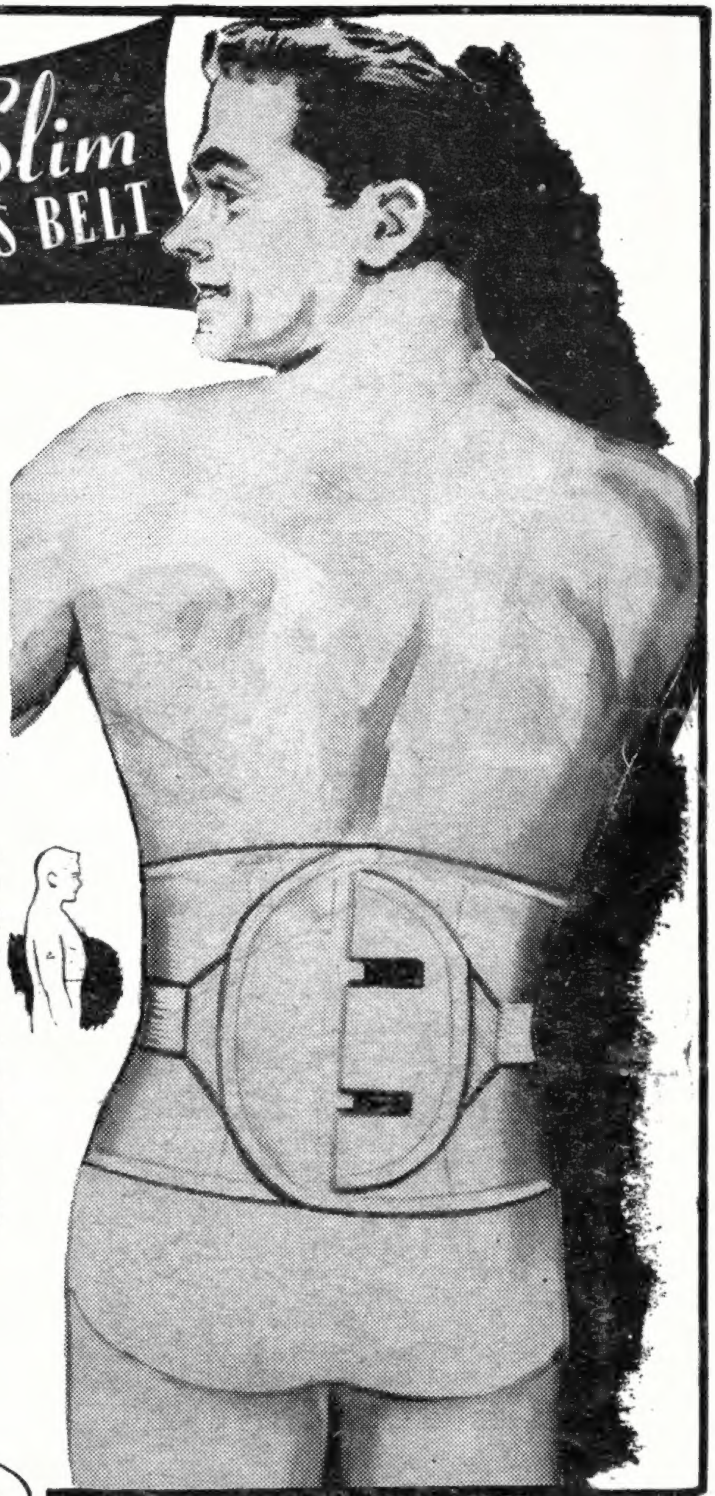

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FAMOUS WESTERN

ALL STORIES NEW — NO REPRINTS

Volume 17 October, 1956 Number 5

Featured Novel

BUZZARD BAIT ..... Saul Anthony 6
It was too late when Rob Spinney arrived in Fenway to get the man who had ruined and then bushwhacked his father — someone had beaten him to it. And that someone was quite willing to let Spinney take the credit, too

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Obviously, all these gents couldn't be the sheriff of Rock County!

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Dave Trent, now, was a man who was really different...

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Milo Ryan was riding straight now, but he wouldn't betray oldtime pards.

ROBERT W. LOWNDES, *Editor* WILL LUTON, *Art Director*

CLIFF CAMPBELL, *Asso. Ed.*

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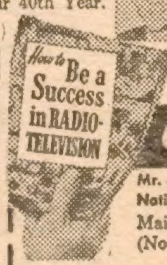

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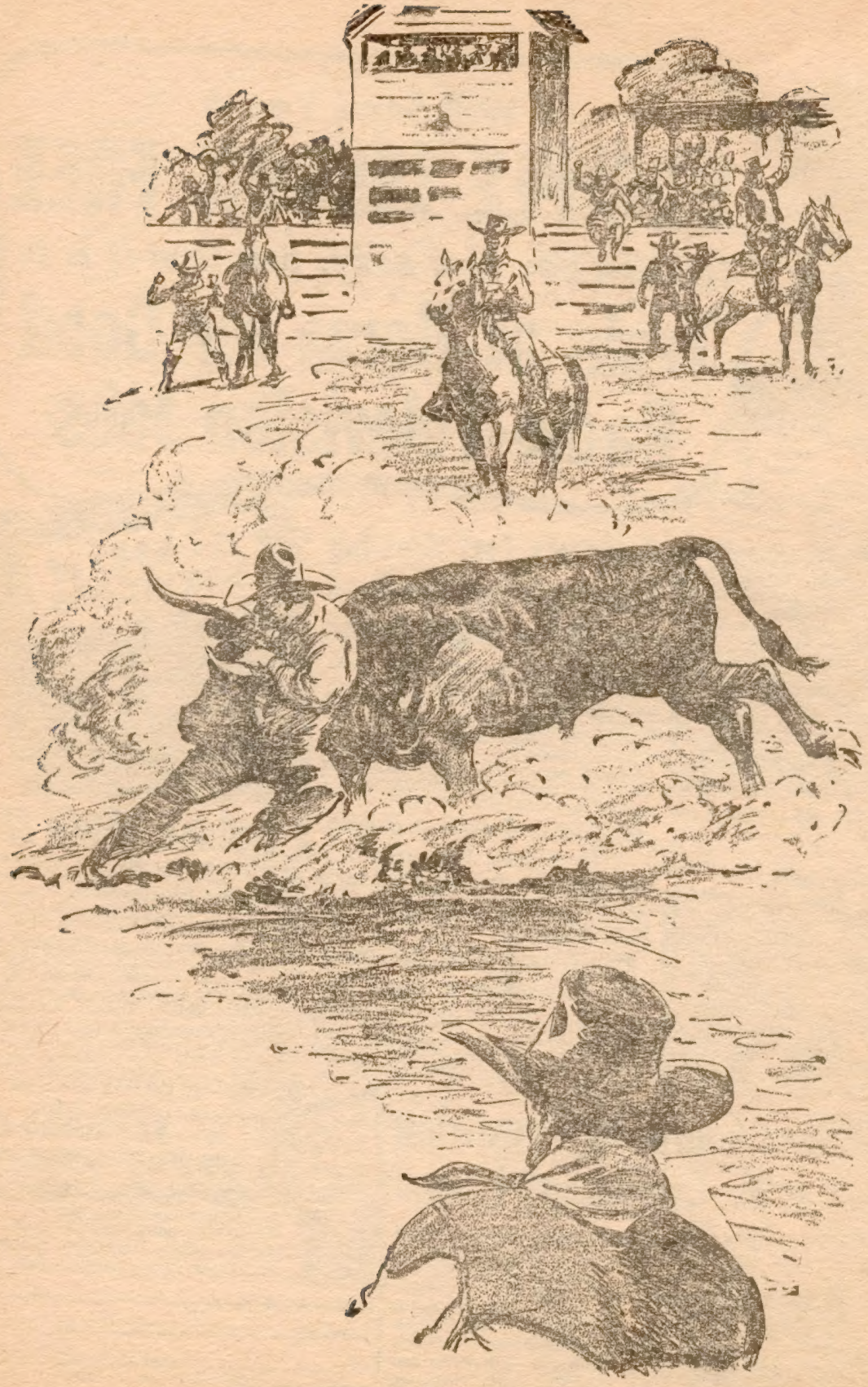

Rob Spinney had returned to kill the man who had ruined and then murdered his father. But before he arrived in Fenway, wheeling buzzards led him to a corpse—the corpse of the man he sought!

BUZZARD BAIT

★ *Featured Novel Of Secret Murder* ★

by SAUL ANTHONY

BUFFALO POINT was the landmark at which Spinney was aiming as he rode. Coming toward the great butte from the tumbled peaks of the Fenway Hills behind it, young Rob half-closed his eyes from time to time. He was intent on picturing the country slanting down from the long ridges that made the "horns" of the "buffalo".

Under the clear blue sky of late November, the slope became a vast plain of yellow sand, studded darkly with mesquite, greasewood, cactus. Directly below Buffalo on the flat, irrigated by Fenway Creek, a little oasis held Fenway—seat of Fenway County government. Far beyond the town, jagged mountains walled in the enormous sweeps of flatland. Beyond them was the Rio Grande Valley—and more mountains....

Jesse James, the white half-Arab gelding, went easily up the ancient road to Fenway and stopped of his own accord where the rutty way angled left along the ridge. Spinney shifted in the saddle to look out and down and right and left across the land he had been born in. As he stared he said automatically: "The Dollar—the Triangle—the 79—the Pigpen—"

Brand by brand he recited the roster of Fenway County ranches—some of which stretched into adjoining counties. He had been gone for six years. But he had always intended to come back to his own country. In the time between seventeen and twenty-three, spent on ranches and contesting in ro-

deos and performing with Wild West Shows the country over—and as far away as London, he had never forgot that here in the Fenway Valley the old Y2 of his father and grandfather was only one of the pastures of Dolf Benjamin's Dollar Ranch. And the boyish fury that had shaken him when his father's body had been found on the road from the 79 headquarters, riddled by the bullets of undiscovered killers, had changed and hardened, as he had changed and hardened. And become more deadly.

"Six years!" he told the white horse. "It seems ages and it seems no time at all, at all. I wonder how it seems to Benjamin. Goodness me, Mr. James! I've somehow been overlooking things. Will Benjamin will be a grown young man, now. He was sixteen. Wonder if he's still known as Piggy? Maybe he's changed, too. He may be a pleasant gentleman, good to the poor, respectful to his aged mother—if that screaming old wildcat has also changed. I can picture Will completely altered—if Doc Kent operated on him and replaced all his in'ards...."

HE PUSHED back the neat gray Boss Stetson on dark hair and shook his head. As he regarded the tiny white and brown blocks far below him, showing here and there between the cottonwoods that shaded Fenway's houses, his blue eyes were smokily dark in a square, still, brown face. He patted automatically the plain rubber butt of his .45, that sagged in unstamped holster on right thigh.

"Sagging sixes...." he said like a man repeating a ritual. "You, Jesse James! Pick up your feet and reach out. Once upon a time the Wine Glass was your home and you knew Cheyenne—and most of Wyoming. But I'm telling you, Mr. James, and I'm telling it straight you're home, right here and right now. Same as I am. Six years... I am going to enjoy being back!"

Jesse James went surely down the old road and came to where the slope was flattening to become the plain. Here were arroyos gashing the land, taking the mountain water down to spread it over the flats. Fenway was close, but out of sight. Rob Spinney watched mechanically as he rode across this section of the big 79 range. He and his father both had ridden for the Avery outfit after the Y2 had been harassed, bankrupted, into the growing holdings of Dolf Benjamin. He knew all this range and now he rode as if still a 79 hand, watching the country. Buzzards circling over an arroyo ahead interested him.

"Calf? Or horse?" he wondered. "Something of Avery's is dead and—"

He pulled the Winchester carbine from its scabbard and levered a shell into the barrel. Almost without troubling to sight he fired and a gray shape that had slunk out into sight above that arroyo jumped high. Spinney fired again and the coyote's body twitched in air, then dropped.

"Haven't lost the old eye, Mr. James," Rob told the placid gelding. "I was afraid that maybe our old age had crept up on us and that'd never do, with all we've got to show old Dolf, maybe. Two months, now, since we've smashed the li'l' glass balls in the arena."

He rode on toward the arroyo and as he neared it the buzzards rose higher but continued to circle. On the edge of the dry and rocky water course Spinney looked down, to right and to left. He stared fixedly at the moveless body and whistled softly, then sent Jesse James down. But he stopped away from the dead man and slouched in the saddle with hands limp on the horn. From the length of the body alone, he thought he would have known Dolf Benjamin.

HE HAD a savage surge of pleasure with sight of Benjamin, the assassin-by-proxy lying murdered as his

own father had lain—and others who had stood in the path of Dolf's itch for land and more land. He recalled, now, the day of his father's burial in the tiny campo santo at Fenway, and now he, cursing to keep from crying, had gone hunting Dolf. Young Will, and some of the Dollar hands, had blocked his way and left him senseless and battered on the street. He thought of old Witch Antonia and what she had shrieked at Dolf Benjamin that day:

"You have lived by the gun and you will die by the gun! I see it! I see it! You climb by stepping upon dead men but you will climb high only that you will have farther to fall! I see it! I see it clearly!"

"And he died by the gun," Rob Spinney thought, staring at the long, thin face. "And he fell all the way back. But it needed no bruja—no witch—to foresee that. It was bound to come, people being what they are. If he hadn't been so careful, hadn't gone so guarded by his gunslicks, he couldn't have lasted this long!"

He looked quickly, sharply, about. There was the place where Dolf had come into the arroyo, falling or thrown. Jesse James moved with the touch of a rowel, to top out of the arroyo on the Fenway side. Above the broken edge of the bank, where Benjamin's long body had gone over, were the hoofprints to show how he had been brought there at the end of a rope.

Spinney went slowly on, careful not to deface the trail. He found the bloody patch of ground where Dolf had been shot. Here were the tracks of two horses, one showing half-shoes, coming toward the arroyo.

Jesse James looked across the flat and put his ears forward. Spinney stared in the same direction, then got out his glasses. A horse was standing over there, almost hidden by a mesquite "island." Spinney's mouth climbed at one side. He replaced the binoculars and took out the carbine.

"Probably that's Dolf's horse," he muttered. "That's the way to the Dollar house from here. But I'd look like Little Red Riding Hood on the wolf's platter, if I ambled up to a killer a-squat in that mesquite."

When he rode toward the horse it was cautiously, Winchester ready for a fast shot. But it was Benjamin's mount, wearing the Dollar brand. Dropped reins had tangled in the mesquite. Spinney freed the big bay and led it back, to where Dolf's killer had got down to look at his target and loop his saddle rope around the body.

"It was the killer's horse with the half-shoes," Rob thought. "They're none so common in any cow-country—more used by the cavalry and riders of fancy stock. It oughtn't to be too hard for Enoch Wheeler to find out something about a horse shod that way."

HE STUDIED the ground for a while, then went on, leading the bay. It was not easy to plot the time-element from the hoofprints that, set by set, overlay each other; to say if someone riding after Dolf Benjamin had come close enough to shoot him, or if the killer had been riding with the cowman.

"You could think that he'd done some extra riding up and down just to mix up the trail!" Spinney grunted irritably. "Well, after all it's no special affair of mine. I don't reckon Wheeler's got too weak in six years to keep him from sheriffing. But I think I'll just leave the horse; not go into Fenway leading it. Some of the Dollar cutthroats might be in town and misunderstand!"

He took down Benjamin's rope and used it to take the bay. Then he went on toward the county seat three miles away, studying the trail as he rode.

For a half-mile there were three sets of prints, two belonging to the horse with half-shoes. Then Half-Shoes turned off to the right and in another arroyo the trail was lost. Spinney gave it up and went straight on to town, past the adobes of Mexican farmers, into the cottonwoods of the oasis itself.

As he looked at orchards and gardens and alfalfa fields, he thought that Enoch Wheeler had his work cut out for him in this case. Almost any man in the county might be the killer; any man in two or three counties. One of those Mexicans who looked at him stolidly from field or door might very well have fired the shot. The first loafing cowboy met might be loafing just to establish an alibi.

It was noon, almost, when he rode along the single street of Fenway. In spite of his thoughts of the dead man, he had much of the pleasure he had expected to feel here, looking over the familiar rows of adobes large and small, plastered and unplastered. Little had changed. Nome Irwin's long store was longer by another room; somebody's house was only a ruined shell. But the townsmen and the cowboys and ranchers around the doors were just the same. He recognized man after man. But none, it seemed, knew him.

They looked at the Wine Glass iron on Jesse James's hip, then blankly at the slim figure of his rider, from neat gray hat down blue woolen jacket and pants to plain-stitched shopmade boots and lace leather roping saddle. Spinney knew that he was no man to draw much attention. Everything about his outfit was inexpensive—and utterly plain.

Too, he had left here a ragged boy, known to these men only because of the tragedies of his father's unsuccessful lawsuit with Dolf Benjamin, and later death—and possibly because of his own furious temper.

HE WENT at sedate trot to the far end of the street where the old adobe court house stood and swung down at the door of Enoch Wheeler's office. But the towering figure of the gray sheriff was not in the room. A steely-eyed towhead of broad, red face sat behind the whittled pine table that was Wheeler's desk, writing in a ledger. He wore a nickeled shield.

"I'm looking for Sheriff Wheeler." Rob Spinney explained.

"He's at the house, his house, with a bunch of assorted breaks and skinned places," the deputy said drawlingly. "I'm the chief deputy, Al Ogden. Sheriff's so bunged up I'm handling the office."

"Dolf Benjamin's dead on the trail—to the side of it—in an arroyo between here and Buffalo. I found him as I came down to the flat a while ago. From the looks of things, he was killed, then dragged up to the arroyo and shoved in. His horse had run off a little way. I caught it and left it staked out. If the reins hadn't caught in some mesquite, I reckon it would be back at the Dollar house, by now."

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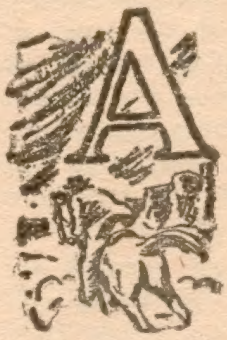

AL OGDEN took the news calmly. Very carefully, he closed the ledger and put it away; pocketed his pencil and looked gravely at Rob.

"For a stranger you have got names down pretty slick." he drawled. "And you are a stranger to me."

"But not to this country. I was raised in it. On the old Y2. I'm Robin Spinney. Left here a half-dozen years ago. I've been wandering around and I got a notion to come back and see the old range. So here I am. Figuring to stay a while."

"Town law's same as always—about that gun. Ten minutes after hitting town, hang it up. Ten minutes before you hightail, put it on again."

"I know the law," Rob said placidly, unbuckling his belt to roll it around holstered Colt. "But up to the time I rolled my hoop I didn't own a short gun. The law didn't touch me. Keep it for me?"

Ogden nodded and accepted the bundle. He stood, a bandylegged man, very thick, walking with the telltale outthrow of right leg that branded him a crippled rider. There was a locked gun cabinet in the corner. He jingled keys, opened the cabinet door and put Spinney's .45 on a shelf, relocked the door and came lurching back, chanting absently:

"There was a woman in our tow-uhn,
Who in our town did dwell;
She loved her husband deeear-i-lee,
But another man twiced as weell!"

He made a cigaret, staring past Rob at the door.

"I hit the Fenway country right after you left," he said. "Rode Ted Cavison's rough string on the Pigpen till I topped one too many—like every buster does. He rolled across eleven-tenths of the Squaw Hills with me and when I picked out the pieces that belonged to him and them that belonged to me and separated 'em, I wasn't a buster no more. So I come to town and started fooling the taxpayers with this badge. I heard a lot about you—mostly bad."

Spinney grinned. "I'm glad you said that. I hate a liar. Anyway, some liars. I can't think of much of anything good Fenway folks'd know about me. I didn't have a lick of sense."

"They always said you'd come back—Enoch Wheeler and Gail. Well, account Enoch being laid up, I reckon we better find Tibb—he's still county attorney, and old Hard Luck McCune—he's still justice of the peace. So old Dolf Benjamin finally stopped lead, huh... Damn' old sidewinder! And the man that killed him run off instead of asking the county commissioners for a medal... Come along, young fellow."

He led the way out of the office and around the corner toward the doors of other offices in the court house, humming, seeming to ignore Spinney.

The fat and egg-bald county attorney, a little grayer than when Rob had last seen him, sat with a brisk, well-dressed young man and the gray and quiet justice. Tibb and the young man looked curiously at Spinney, but McCune rolled his cigar and squinted dark eyes and nodded.

"Hello, son," he said. "Finally made it back, did you?"

"Reckon you all know Rob Spinney," Ogden drawled. "He just come in to tell me that Dolf Benjamin's dead on the road to Buffalo. He found him a while ago."

"Dead? Benjamin?" Tibb and the young man cried, jumping up. McCune blew out smoke and looked through it at Rob, a narrow, calculating stare.

"Let's hear the story," he invited. "This handsome young foreigner, here, is Mr. Quinn, an ornament to the legal profession. Right now, he looks at us poor country folk from the dizzy heights of a deputy district attorneyship."

Rob described the discovery of Dolf Benjamin's body and the trails he had seen. He was very conscious of McCune's eyes steady on him, through the cloud of cigar smoke.

"Well, now," the justice said thoughtfully at the end, "I don't want to speak harshly of the dead or put myself in the position of complimenting Providence, but—I've been waiting a long time to hold an inquest for Dolf. So I've got a good many of my notions handy, ready for use. Of course—" he looked blandly at the

faces of Tibb and Quinn "—I'm just a garden specimen of cow-country justice of the peace, mightily conscious of my terrible limitations. If you gentlemen entertain any ideas at all, they're naturally better than mine. But I would suggest that we organize us a posse comitatus and I'll even make out to ride a horse with it, in spite of my many and painful infirmities. We'll get out to the scene—"

He rolled a squinting dark eye toward Ogden. "Al, haven't words been drifting to my ears about certain marvels of eyesight and trailing perfomed by one Mingo Nicelle, a tall stranger in our midst?"

"The hostler down at Luis Razo's livery stable," Ogden drawled. "Yeh, he's hell on red-stripedy wheels, at tracking. We ought to take him along, all right."

"Anybody you might gather in on suspicion?" young Quinn inquired. "I'm not well-acquainted with the neighborhood—"

"Nobody that'll run off—and make it," Ogden assured him tonelessly. "Well, better start making up our posse. I'll go by and tell Enoch Wheeler that we're going. We'll need you, of course, Spinney."

HE WENT out and Judge McCune rose. With step surprisingly light for the heavy man he was, he walked beside Rob out to the street. And as they moved about the business of getting horses for Tibb and Quinn and others, and telling Fenway of Benjamin's killing, the gray justice talked a good deal to Rob Spinney, inquiring about his life for the past six years, discussing Dolf Benjamin and his death, speaking generally of Fenway affairs. Rob answered briefly, wondering why McCune was so cordial to him —who certainly would be remembered only as a ragged, troublesome youngster.

They rode out, nearly fifty men, to the arroyo, keeping off the trail while Mingo Nicelle, a tall, dark, stooping cowboy, led the way. Coming to the arroyo, only Nicelle, McCune and Spinney went to the body, at first.

"Half-shoes," Nicelle grunted, as Rob had done. "Ogden hadn't ought to have much trouble finding 'em, unless they belong to a stranger in the country."

Al Ogden rode over to them, leaving the crowd checked by someone else, well away from all tracks. He looked at the prints of the horses, then at Nicelle.

"What do you 'low, Mingo?" he asked. "Benjamin and Half-Shoes was riding together, maybe, then Half-Shoes sneaks out his smoke pole and salivates Dolf?"

"Looks more like Dolf was riding along and Half-Shoes come up behind him and done the shooting. Then he got off to see what-for a shot he was and when he found he'd settled the old man he put a rope on him and drug him to the arroyo and shoved him over. That's the way I feel about it, anyhow. The way the tracks is tomped up, you got to go as much on feeling as on seeing. Well, then, Half-Shoes rode off. I'll see."

"I followed him across yonder, after I'd got Benjamin's horse," Rob Spinney cut in, staring at the dead man. "I'll show you."

"Just us three'll be plenty," Ogden grunted.

They went to their horses while Ogden slouched in the saddle looking at Judge McCune, who had now been joined by Tibb and Quinn in the arroyo. Rob and Nicelle rode back to Ogden, and Spinney steered them quickly to that point where the horse with half-shoes had gone down into the arroyo beyond the main trail to town. As they stopped here, from the arroyo came the sound of a shot. They whirled to see men beckoning. Ogden turned briefly to Nicelle.

"Mingo, you see where that trail leads, if you can make out to follow it. Looks like they found something new back yonder. Spinney and me, we'll go back for a looky."

He and Rob galloped back to where a gangling young cowboy with a badge held four exploded shells. Beside him Judge McCune squinted against the smoke of his cigar, dark eyes shuttling from face to face of the men who stared.

"Well, now," McCune said thoughtfully, "this is a funny kind of business. Here's Lew, the Young Deputy, with his hand all full of shells, .38 shorts. Here I am— But, ne' mind that. Take a look at those shells Miller found."

"Where'd you pick 'em up?" Ogden demanded of Lew Miller. "Regular lady's gun, huh?"

"They was all tromped down into the dirt where Dolf come piling off his horse," Lew drawled. "I seen one a-shining, so I took and dug around and found the others. Yeh, gal's gun. Not many of 'em around here, Al. Oughtn't to be awful hard to find the trail of it. Doc Kent's looking Dolf over, now, to see what kind of slug killed him."

"Dolf was shot four times at pretty close range," McCune put in. "From the back, all the shots. And—look at this, Al."

He took a thick hand from his pocket and held it out. On the flattened palm were two bills—rather, a new ten-dollar banknote and half another, with part of a green paper sheaf-band. Al Ogden stared fixedly, without change of expression.

"Brand-new," McCune said slowly. "Fenway Stockman's Bank money. I found 'em in the bulge of his shirt. You could think that he was carrying a bunch of the new notes and the killer didn't get off his horse just to put that rope around Dolf. He searched him and grabbed at the money, snapping the band on the bundle and tearing one bill."

LITTLE Dr. Kent called from the arroyo, now. When they moved to look over the edge the doctor held up a small object between thumb and forefinger of each hand.

"I got two of the slugs. One went clean through. Other one is still in the body. Thirty-eights, or I'll eat a big hat! Well, Hard Luck, we're ready to take him into town."

"All right, Doc," McCune answered. "Buckboard's coming, now. Ogden, finding this money on him may just simplify matters a little bit. Money's an odd thing in this wicked life of ours. A few odd humans will bury it. But usually, if my doddering observations are worth anything, money leaves a trail. Particularly, ill-gotten money! You can check with John Illotson at the bank about Dolf having it and how much he had. Then look around town for Dolf's backtrail. I know he was in town pretty late, last night. If someone was around, who knew he had considerable money— Well, there's no need my telling you your business. Mingo Nicelle following that half-shod horse?"

Al Ogden nodded silently. "Spinney, I reckon we don't need to wait for the body to go in," he suggested to Rob. "Let's take after Nicelle and see what he's found."

On the way to the arroyo where the breed tracker had disappeared, Rob asked Ogden about Sheriff Wheeler.

"He's right stove-up, all right. He took Lew out toward the Buckle about a month ago. Youghal Gray's been losing some big steers a few at a time and the sheriff wanted to look over a few new hands on the Buckle and see if they checked with any of our reward dodgers. He *would* ride Gray Stepper and the old horse stumbled on a ledge with him and sprained Wheeler's ankle and snapped his right arm and cut him up right bad before they hit the bottom together. At his age he ain't healing fast. He's one fine old

man, Enoch Wheeler. But you know that."

"I ought to," Rob Spinney admitted, grinning faintly. "He saved my life, the time my father was killed. Didn't he tell you how I was painted up for war on Dolf Benjamin, that time, with about a quarter of an old Civil War cap-and-ball .45? And how Will Benjamin and a bunch of the Dollar gunfighters beat me half to death? Oh! Gail still at home?"

HE TRIED to keep his voice casual but Ogden looked blankly straight at him for seconds, before he drawled:

"Yeh. Yeh, she's still Gail Wheeler —for a while yet. But she's going to marry Cass Avery pretty soon. Possibly you never heard that Old Man Avery died a couple year back and Cass's the 79, now, lock and stock and barrel. Cass spent a year or so exploring elephants and owls and Dallas and Santone and El Paso and Kansas City and around. Then he give up another year to taking a course in poker."

"Make anything out of all that exploring and educating himself? Of course, I'm surprised that Cass could think for a minute that he didn't already know more than he needed. a dozen times as much as anybody else knows!"

"Hasn't changed a lot. Except now he mixes fancy city clothes with Texas hats and boots. Well—I reckon Nicelle's still following the arroyo. Let's ride along the bank a piece. Why, Cass finally had to bust down and admit that poker's a gift—and if you ain't got the gift you'll be a gift horse... He's lost plenty and spent plenty. But I reckon he ain't much different inside than he was when you and him and Gail went to school together. Will Benjamin can't be, either. He turned up his nose some at Cass's city clothes. And Cass took Will's gun off him in the *Antlers Saloon* and cleaned his plow proper. Like to beat Will to death. So Wheeler saved your life?"

"I was set on killing Dolf Benjamin. About ninety-nine to one, it was lot too much work for me. The old devil was as mean and snaky-crooked and just generally lowdown as a human being could get. But he was plenty salty! He'd likely have rubbed me out in some way to put the blame on me. Enoch patched me up after the Dollar crowd had crippled me. He handed me twenty dollars and told me to ride. And he told me—"

"Not to come back until you packed a couple sixes that sagged but never sagged you out of shape" Ogden finished. "Yeh. I reckon he done that out of pity. He and Gail have often said the only good thing about you was, you did set your head down and bow your neck and work to help your pa after he lost the Y2. Well? You make out to follow Enoch's advice? Learn how to slap leather in fast company? Cut some notches on that hogleg of yours I'm holding for you?"

"Nary notch! I've rambled and trambled like the man in the song, but I never did have to kill a man."

"You mean you never come back to settle old Dolf?"

"Oh, I thought I'd settle in Fenway, and kind of stand around and keep looking at the old tarantula. Just seeing me every time he looked up would have got under his hide. My father was not the man to buck Dolf. He was hell on going by the law. Even after Dolf's high-priced lawyers beat us out of the Y2, he didn't see that as reason for killing Dolf. It was hard, it was mightily hard, for him to take on at the 79 with everybody, even Cass Avery, his boss, and to see me having to knuckle under to the likes of Cass. But he wouldn't go kill the man who'd ruined him and worked it crooked over that title-suit. Maybe he was wise—though he did get killed just the same."

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HE GOT his binoculars out and looked ahead along the arroyo's run. He saw far in the distance the small figure of Nicelle, riding steadily in the general direction of town, and said as much to Al Ogden.

"No, my father was not the man to slap leather with Dolf Benjamin," he went on thoughtfully.

"But you are—or you thought you was—the man to handle his likes?" Ogden inquired gently.

"I thought so," Rob Spinney admitted with equal calmness. "I think so. But now he's dead and I'll never know. Who do you reckon killed him? Things do change around in six years and—I was just a kid when I pulled out. I've thought a lot about the country and tried to see it man-style, but you've been on the ground all the time. You know the oldtimers and the newcomers. Oh! My mouth shuts as well as opens..."

"I do'no' who killed him—yet. Things didn't change a lot around Fenway, except to turn more so. Dolf made a good stab at running the county after Old Man Avery died. Tibb and this young college boy, Quinn, he wore 'em like watch charms. But not Hard Luck McCune or Enoch Wheeler. Not a li'l' bit. More and more, Dolf was getting to be King of the Fenway, taking in more li'l' outfits as men got into trouble the way your pa done. He never had a friend. He had a heap of enemies. Anybody might have killed him! When we come to really jingle the handcuffs, folks may be awful surprised about the man we heel."

Spinney looked up and around at the vast blue dome of the sky, at the greasewood and mesquite swaying in the little wind across the plain, at the dark mass of trees that masked Fenway, at the faraway mountain ranges that seemed to be made of blue smoke. He drew a great, slow breath and shook his head. Most of the United States he had seen; England and Ireland and Scotland; some of France and Germany. Arizona and New Mexico, Wyoming and Montana, he had ridden in. But none had been like this border country that was his own country.

"I'm certainly glad to get back," he said to himself, but aloud. "I am glad! I must begin to sort of build up the old fences; bridge over the six years I've been gone. Old Man Avery dead—Cass running the 79..."

"Yeh," Ogden grunted. "If you want to call what he's doing running a good outfit. Old Avery was a Man! Cass—"

"De tal palo tal astilla!" Rob quoted. "From such a stick such a splinter! But Cass Goldilocks'll do, since he's marrying the sheriff's bags of gold. And Gail, she'll have her guh-reat, big fine-looking showring horse. One thing, they'll have mightily handsome chil'en, Mister Ogden. Maybe no 'count colts, but gosh-awful purty. You said Cass worked Will Benjamin over—"

"Yeh. Will looked like a nickel's worth of catsmeat, chewed up and spit out. I been looking for trouble there. Dolf, he foreclosed on the Wirds last year and took over the Triangle on Cass's very stepstone. They had plenty trouble on the line. I expected it to come to shooting. Now— You know, son, I do believe that the whole north end of the county's apt to shuffle around, some, now Dolf's dead. Will and his ma ain't going to be able to handle things like Dolf. Maybe the Triangle and Y2 and some other ranges Dolf gathered in, they'll be on the market one day, soon. Dolf didn't leave much cash, I bet you!"

"I would certainly like to own the

Triangle and that range along the headwaters of Fenway Creek! Even better than the old Y2. I must be thinking about it," Rob Spinney said—and laughed. "Well! Nicelle's waiting for us. Maybe the man took a balloon yonder."

The stooping cowboy shrugged as they galloped up to him. A puzzled frown was between his dark eyes. He jerked a hand to indicate the ground about them.

"Petered out," he reported curtly. "But they was pointing toward town, last print I could make out, after Half-Shoes topped out of the arroyo."

"Town..." Al Ogden said drawlingly. "Kind of opens up things. Yonder's the town and in it there's any amount of men that had good reason to kill Dolf. Some of 'em wouldn't. Maybe! But we can't say which would and which wouldn't. Well, let's scatter out and see what we can see; try to cut the trail again. But I don't mind saying right now that I don't put too much stock in them half-shoes. Nobody but a nitwit'd ride a horse shod so different to murder."

They separated and worked toward town, each looking alternately at the ground and across at one another. But when they reached the edge of Fenway, there had been no trail found. Ogden looked inquiringly at Mingo Nicelle. "Well? What do you 'low?" he asked the trailer.

"Not a thing! Ain't in my line. Me, I'm a tol'able tracker. When you got me a trail I can follow, I'll hang and rattle the best I can. But guessing around about where a trail might be, that ain't showing, that's sheriff business."

He rode on in the general direction of old Luis Razo's livery stable. Ogden stared at the faded sign of the Fenway Stockman's Bank, then looked at Spinney.

"I hope you're figuring on sticking around Fenway a spell—till we settle up this business about the murder, anyway. If you're job-hunting, there's plenty places to hang up your hat. And—I'm right glad you never touched old Dolf."

AND HE left Rob Spinney staring at him, to trot toward the bank. Rob shook his head at last and sent Jesse James down the familiar street to the *Antlers Saloon*. He had swung down when the swing doors of the *Antlers* flapped and a big, yellow-haired, blue-eyed man swaggered out. Spinney looked at the expensive white Stetson, the tailored gray tweeds, the shopmade tan boots under trousers, then back at Cass Avery's well-remembered, much-disliked, face. Avery had changed only in getting heavier of body, a little puffier of face, in the years.

He glanced at Rob, who had leaned on the hitch rack to look at him. But a ratty-faced beanpole of a cowboy came out of a store beyond Cass and slouched toward him. Cass turned to face him.

"Hi, Cass, old boy!" he greeted him effusively. "What d' you know about that old hijo de la perra, Dolf Benjamin, a-collecting what's been coming to him so long! Well, I reckon you can say it's good riddance. And you ought to be plenty relieved in your mind, too, what with—"

He began to step back, but not quickly enough. Cass Avery lunged forward and swung viciously at his face, right fist and left. He landed only glancingly on the jaw but the lank man staggered out to collide with the hitch rack and drop half-on, half-off, the wooden platform before the *Antlers*. Cass looked down at him snarlingly. Spinney had dropped his reins and now, with hat pushed back, watched where he leaned with arms folded on the crossbar, grinning slightly.

"Same prankish boy!" he said amusedly. "Just full-up with high spirits and cutting up capers. Tut, Cass! Oughtn't you to be thinking

about your standing in the community?"

Avery glared incredulously at him and in the narrowing of his eyes Rob saw slow recognition.

"Well!" Avery said explosively. "If it's not the little scarecrow—with a clean shirt! What cat dragged you back?"

"Tut, again, Cass! You must be more polite, my boy—when you're in the presence of your betters. You country jakes need more than seven dollars' worth of mail order duds and a celluloid collar to make you dudes. And more than a trip to Dallas in a stock-train to make you travelers. Now, when I was lawst in London, appearing before the Queen—just before I ran over to Paris—"

"I'm your committee of welcome!" Avery snarled and ran at him with fists up. "Scarecrow, you—"

Rob shifted his arms, caught the crossbar with both hands and swung his body stiffly, feet out, precisely like a battering ram. His heels took Cass squarely upon the chin and under the terrific impact of them Avery skated backward, but he was unconscious before he dropped. Rob came lightly to his toes again, ducked under the bar and looked at the sprawling figure, then up and down the empty street. He drew down his hatrim to shelter an eye.

"Yes, sir! You should travel and broaden your outlook, Cass," he addressed his victim. "It might educate you and save you aches and pains."

He went on, whistling softly, into the *Antlers*. The big room was empty. Only one bartender stood behind the long bar and he looked up from the newspaper he was reading, jerkily.

"Well! Folks come back? Bring Dolf in? Find the killer?"

"They're bringing him in, now. That's all I know."

He poured a drink from the bottle and gestured hospitably. The bartender didn't mind if he had one and they drank formally. Then Rob Spinney had a drink on the house and the bartender remarked that even his two fellows of the apron were out at the murder scene. Everybody in town had gone out—except Cass Avery and Doggy Magee and a few old men. Questions developed that Magee was the beanpole Avery had knocked into the street. He had been a town loafer—and sometimes companion of Cass—for months.

"Reckon Cass was glad enough to know Dolf's gone," the bartender said thoughtfully, "not to want to go out. He—"

The doors crashed back and Avery came in with the charge of a furious bull. The bartender grunted, gaped. Rob slid like a cat away from the bar, met the bigger man's rush deftly and ducked two such awkward swings as had measured Magee. Twice he drove terrifically to Avery's belly, stopping him short, then caught Avery's coat, jerked and threw himself backward with a foot coming up.

Cass was caught on Rob's foot and, levered forward by Rob's stiffened leg, he fairly sailed across the three yards between bar and great iron stove. He crashed into the stove and dropped without a jerk. Rob bent to recover his hat. Behind him, Al Ogden drawled: "That's one of them accidents that won't turn out too good. Soon's Cass comes to, he'll take you apart and—"

"Remind me to fix him up another *accident*, then," Spinney said flippantly. "Meanwhile, I think I'll wander along to see Enoch Wheeler. Even Cass, there, noticed my clean shirt—and spoke about it. Scarecrow, he reminded me that Fenway folks used to call me. Or his part of the county, anyway. And I'd almost forgot about that nickname. Other people, other places. Well, they have called me something else. No matter!"

ON THE wide plank platform he and Al Ogden looked at each

other. Rob asked about the visit to the bank.

"Downright queer!" Ogden told him frowningly. "Olin Pike and his cashier both swear to the bills out of Dolf's shirt. Come out of a new shipment—a brand-new, never-had-it-before, brand of bills. And—the only money took out of that bunch since it came in was one batch of five thousand dollars. And it wasn't handed to Dolf Benjamin! Ilah Vester got it. Pure accident he took the new money. Cashier's ask' him if he wanted it and Ilah told him it didn't matter; the trade he was on old money would buy as much as new."

"Now, you've got to find Ilah and see if he was trading with Dolf. I can see that much."

"Ilah wasn't in the bunch out where Dolf was killed. And his house is locked up and nobody knows where he might be. It hits me as right queer."

"But not so queer as something else, John Law! Uh-uh! Not half so queer as you not searching me for that new money and a set of half-shoes and a blacksmith forge and anvil and a .38 pistol."

"I can practically see that you ain't toting the blacksmith shop around," Ogden drawled. "But as for the rest of it—well, I have been studying you pretty close for some time and I believe you're a right polished article. I even begin to bust down and wonder if you don't pack a sizable bunch of such accidents as hit Cass, in regular stock. So, if you killed Dolf, and I wouldn't say either way, I think you're slick enough to have covered your tracks good. You ain't packing money got off him or the gun that killed him. If you shot Dolf, I don't doubt I'll have some trouble pinning it to you."

"You're absolutely right," Spinney admitted gravely. "About everything. And I'm glad you see it without my having to tell you. For if it came from me it might sound like bragging and I'm honestly almost a fairly modest soul. I'd hate to have to *say* that a whole cowpenful of Averys wouldn't worry me, and that without a bit of doubt I'm the best rifle and pistol shot and bronc' twister and roper east of any given point, and also stretching west and that— You can see how it would sound! Even if I only told that much of the truth, Mister Law. If I should go on and say that I had expected Dolf Benjamin to dislike having me around looking at him and—looking at him, so much that he'd make a mistake, a last mistake—I mustn't tell it."

He grinned at the expressionless deputy and turned away, to mount Jesse James and turn him off the street, toward the 'dobe house of Sheriff Enoch Wheeler, that was set among cottonwoods and tamaracks half-in, half-out, of a rectangle of head-high 'dobe wall.

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THE OLD sheriff sat motionless on his broad veranda and with an Indian blanket of vivid reds and blacks draped around him, his dark hair and eyes and bronzed skin made him seem foreign to the plastered walls behind his chair, to the litter of newspapers and reward notices around him. He watched unwinkingly as Rob Spinney came with clink-clump of spurs and heels up the graveled walk to stop and greet him cheerfully.

"Come in and set," he invited Rob quietly. "I do believe I'd have knowed you right off, much as you've changed. But, of course, Al told me about you. First, what happened out where Dolf was killed? It's damn' mis'able being tied down like this!"

Spinney told of the investigation and of Ogden's discovery at the bank. He

said nothing of meeting Cass Avery. Wheeler listened with occasional question, sun-narrowed eyes unwavering. At the last, he nodded. "Al suspicioning you?"

"Why, if I should climb into the middle of that Jesse James horse out there and start toward the Rio Grande, I'd be surprised not to hear Al sort of whispering in my ear. Yeh. He has got my name in his lil'l' book. Couldn't help it. All that business of the half-shoes might be nothing but an accident or a trick."

"I do believe," Wheeler said slowly, watching him, "that you done what I told you to do, the day you left, before you thought about coming back to the Fenway..."

"I certainly tried!" Spinney answered simply. "In every way, all of the time, I thought about it. I didn't expect to be the best man in the world at this and that and the other, but I wanted to be as good a man as *I* could be. At whatever was in my natural line. For—all this never got out of me, the country, the people. These are the folks that count with me and this is the country where I want 'em to know me. You put me on the right track, Sheriff. I—am not forgetting it."

"You dropped out of sight," Wheeler drawled. "Leave Texas?"

But Rob Spinney was looking at the girl in the doorway. Gail Wheeler had changed very little—except, he thought, to grow even prettier than she had always been. She was as blonde as her father was dark, blue-eyed, very fair. She had the slenderness that Spinney remembered, the quick grace of movement, but there was maturity of an attractive sort about her. He nodded very slightly. After all, she was six years older, which would make her about twenty-two. And she had kept house for her widowed father since her fourteenth year.

"Well!" she said almost tonelessly. "he's back. The—"

"Scarecrow," Rob supplied pleasantly. "With a clean shirt. No real reason why I shouldn't come back. Gail."

"Nor any particular reason why you should. But—we always rather thought you would. But, not exactly like this... The prodigal usually comes back barefoot and shaggy-haired, or with 'his cohorts all gleaming with silver and gold'. Not somewhere in between, Rob."

"Shucks!" Spinney growled, scowling gloomily. "People don't never tell me nothing! How'm I ever going to git education? If I had only knowed the right thing to do, I would have bought me anyhow one or two cohorts and hung 'em to Jesse James's bridle. It ain't that I don't *aim* to do the right thing. But—I didn't think about painting up for the Grand Entry, Gail: silk shirts and gold and silver *conchas*, and a ten-gallon sombrero."

"Going to stay? Or is this just a visit?"

"I thought I'd stay, if I can make out."

"You'll make out, all right," the grim little sheriff thrust in. "I can think of a good many places for you. Pretty good hand?"

"I make out," Rob said evasively. "I rode on some northern outfits, and in Arizona and New Mexico—"

Al Ogden appeared in the road and came up to dismount beside Jesse James. The three on the veranda watched his leisurely, limping progress up the walk. He nodded carelessly, red face blank, and made himself comfortable in a chair.

"Thought I better come wawa things over with you, Enoch," he said drawlingly. "Looks like I need a quiet place, with just us two to talk—"

"That is beautifully said, Rob," Gail snapped. "Translated, it means that the children are to run and play. Things are to be discussed which aren't for our tender ears. Come on out to the kitchen and I'll feed you pie and you can make me saucer-eyed with tales of

fur-off places and strange, shiny things."

SPINNEY grinned and followed her into the great hall that ran back to the rear of the house, dividing it. The kitchen was the last room on the right and Spinney put out his hand to the screen door of it. Gail caught his arm and drew him close to her in the gloom of the hall so close that her face was almost against his cheek and her shoulder pressed pleasantly against him. Automatically, he put his arm about her and she seemed not to notice it. She opened the screen door six inches and slammed it shut.

"Now!" she whispered tensely. "Come on! Don't make a sound! Quick!"

He frowned, but followed her noiselessly back to the front door. Ogden was speaking with more energy than Rob had known him to display.

"—And till we do check his trail I don't see the sense to letting him know more'n we have to. Maybe he just rode into the country past Buffalo and accidental come on Dolf like he says. Nicelle or some of us can find that out, easy. But what I come to tell you is—I got the gun that likely killed Dolf. Yes, sir! Doc Kent says he can likely tell for sure with that stunt of his he figured out, using the micro—Well. you know what I mean."

Rob Spinney leaned—Gail, pressing close to him, was leaning also—to see the bright pistol Ogden was handing the sheriff.

"Huh!" Wheeler grunted. "One of them overnighters. Six-dollar mail order junk. But a .38. Go ahead with th' info'!"

"It was Doggy Magee put me onto it. Must've fell out with Cass Avery, Enoch; he was awful anxious to tell how he happened to pass the hotel, and see Cass open the window of his room, and throw something shiny into a trash pile outside. I didn't put a lot of stock in Doggy, even after I found the gun. But Mrs. Hysam says she happened to look out of the post office and *she* tells the same thing. She's an awful old postcard reader—even for a country postmistress—but she tells the truth. I never went to Cass—"

"Hell—and hell!" Wheeler whispered savagely. "He could've killed Dolf fair and square—I showed him plenty, myself. He was faster'n Dolf I'm almost certain. He just lacked—a tiny li'l' bit of nerve to make the play at Dolf. But he would've killed Dolf and nobody would ever have said a word— But, this way—"

"I NEVER said Cass killed him," Ogden objected drawlingly. "No-o-ope! Nary word like that. I do'no' who killed Dolf. I'm still picking up what I can find. Maybe Cass killed him. Maybe young hell-on-wheels out in the kitchen killed him. I tell you one thing, Enoch, you put in an order one day six year back and that order's filled today! Yes, sir! You told that boy to come back able to handle the likes of Dolf man-style and—well, behind that grin there's plenty brains and cold nerve and—"

"I size him the same—the simon-pure quill! But, Al, if Spinney killed Dolf. Cass—"

"That snubs me short! For the whole thing's tangled and knotted up together. And I can't figure Spinney and Cass in *nothing* together. Cass jumped Spinney twicet today—bare fists. And he was chucked around scandalous; yes, sir, handled like as if he was a li'l' kid or a sack of lollypops! Twicet today Spinney knocked big Cass stone-cold. Never fought him—just hit him or throwed him quick and neat and easy. They wasn't in nothing together!"

"I be damned! The blame' *gallo!* Gamecock! Smacked Cass!"

Gail twisted in the arm Rob had around her. She looked up at him in the half-darkness of the hall-corner. He shook his head and leaned to put

mouth against her ear. "Accident!" he breathed. "Two accidents. Old Ogden's been out behind the barn, again, reading dime novels."

Outside, Ogden's even voice sounded again: "I'm just good started. Forget Cass a minute. You know in Dolf's shirt was a bill and part of another bill from the new shipment of money Olin Pike got in. Looked like somebody had snatched a bunch of bills out of the shirt and tore one when he snapped the paper hogging-string around the bundle. Only one to have bills out of that shipment was Ilah Vester. I went hunting Ilah. House shut up. I went off. Come back and looked to see if he'd got in."

He drew a long breath.

"Well, I run into the Mex' kid that runs errands for Ilah and cleans up the house. He's got a paper with a note printed on it saying Ilah's gone to Uvalde and when he comes back he'll be back. Printed, not wrote! Not signed, either. I was saying things to me about this making trouble hunting Ilah. Him being mixed up in so many things and having no family he's hard to find. We know how he disappears for as much as a month. The Mex' boy says he picked up the paper where it'd blowed off the door it was tacked to. He's wondering. Ilah's told him to see him this morning, to ride down to the Rafter 8 with him and see Llano Wepper, then go on along the river."

INTERESTED as he was in Ogden's toneless account—that somehow indicated important, perhaps tragic, events to be described, Rob Spinney could not for an instant be unaware of the girl so close to him. He had never done more than touch her hand, in boyhood. He had fairly worshipped her and she had looked carelessly at him, or half-contemptuously, when she noticed him at all. Now, it was different. Even if she were to marry Cass Avery, it was different. He was a better man than Avery would ever be. He knew it. He could make her know it. He could make this whole country admit it. He found himself oddly indifferent to her engagement. She was the loveliest girl he had ever seen. But it was not making love to her that interested him; it was showing her that he could not be ignored that counted.

He tightened the arm about her, smiled at her as she looked at him—for the first time—curiously. He continued to watch Ogden.

"He's like a machine that grinds a certain way," he whispered to her. "You can't hurry him; you can't change his way. He's coming to something but it's got to be reached his way!"

"The Mex' kid was worried and he snooped around. And he showed me a bullet hole in the side window of the place. Glass was on the ground under it, so that slug came from inside. I got the bunch of old keys from the office and opened the door and—Ilah Vester won't tell us about the money! There'd been hell's own fight in that front room. Ilah's been beat to death with a wagon spoke. He'd shot oncet out of his gun."

"Hell and Hell!" Wheeler breathed. "Why—you could almost believe old Dolf turned robber in his latest days. That he took somebody in with him and killed Ilah for the money— But, too, Ilah might've been on some trade with him. Handed over the money. Somebody that knowed about Ilah having the money could've killed him, then gone on to kill Dolf for it—"

"I can think of lots of ways, too, it might've been. But it's just thinking. Now, I checked around on Dolf. Last night he was in the *Grotto,* winning at jackpots. Ilah Vester was in for a few drinks and talked some—but not a word to Dolf! He went on out. Around eleven Dolf quit the game and maybe three-quarters of an hour later he had his last drink at the *Grotto.* He was saddled and ready to go home. He said so. He rode out past

Nome Irwin's store before midnight. For Nome watched him go. He was by himself, too."

"It's certainly a twisty trail," the sheriff admitted. "About this gun. . . . You didn't speak of it to Cass?"

"Unless Doggy Magee or Mrs. Hysam let it out—and I told 'em not to whisper a word—he don't know I found it. Want me to ask him about it?"

Gail straightened and stepped away from Spinney. She walked out to look at her father. Rob hesitated, then followed.

"What Ogden's worrying about," she said calmly, "is the effect on us, particularly on me, if he has to arrest Cass. You see, I didn't bother about stuffing Rob with pie. I wanted to know things; if Rob should light a shuck, or if the evidence pointed toward Cass. So I listened to your talk and I made Rob listen, too. He's a highminded boy and he wouldn't have eavesdropped if I hadn't buttonholed him. Now, about Cass; I don't believe that he murdered Dolf Benjamin—and Ilah Vester. For according to your theories, the man who killed Dolf probably killed Ilah, too."

She shook her head at Ogden, who was about to interrupt. "If there had been an open row, Cass might very well have killed Dolf and, while I'm not fond of gunplay, I would have understood. So would everyone else. Cass had plenty of reason to try killing that old sidewinder. And he's thought a lot about killing him. But murder and robbery simply don't add up in my mind to total Cass Avery."

"McCune's looking at Ilah's place," Ogden remarked vaguely. "That'll be two verdicts today, about a person or persons unknown. I've got Lew Miller wandering around hunting the trail of our half-shoes. He might just sweetly find something."

"Don't arrest Avery," the sheriff said slowly, frowning. "I mean, no matter what he says when you talk to him, don't put him in jail. Bring him to me. He'll stay here. Because, if Cass really killed anybody, he figures he covered his trail so smart it'll never be cut. Cass, you know, he can be crowded into telling the truth—and that's his honest belief he's a brainy boy, anyhow twice as brainy as anybody ever born yet."

"He has good reason to own a fair opinion of himself," Gail told him calmly. "There's not a man near his age in the country to compare with him. In any way! Brains, position, just as a man! You Fenway people have always been down on Cass, because he's not a dumb, scrub cowboy, with no thought beyond stock and range. As far as that goes, he's as good a hand as this country is likely to see—at riding, roping, shooting, or—"

"Even after all that talk, I still don't want to buy him, or train for him!" Ogden drawled. "And I'll bet you two to one, blind, that right here's a twicet better man—"

"Rob?" she cried—then laughed. "Oh, run along! You'll embarrass the boy. Rob Spinney knows Cass—"

"Cass. . . ." Spinney said slowly. "That's a long, ugly word! I'm just a little bit sick of hearing it. I'll go downtown with you, Ogden."

"Come back to supper," Wheeler commanded. "I got a bag of talk to open up. You come back—I mean it!"

"Why, yes! We'll be glad to have you," Gail echoed the invitation. "I want to hear about those *accidents!*"

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THEY rode silently until the sheriff's office was just ahead. Then Ogden looked slantingly at Rob Spinney's grim face.

"Reckon you heard what I told Enoch about you?"

"Of course," Spinney answered without interest. "I knew without listening what you thought. But I was glad to hear about the second murder. For now I know how your notions have changed to make me a possible fit. If I came straight into the Fenway country and accidentally met Dolf Benjamin, and rubbed him out, that lets me off killing Ilah and robbing *him*. But you're wondering if I haven't been in the country longer than I say; if I haven't kept cases on things here."

"Of course," Ogden said in his turn, as flatly. "And like I told Lode, I can't believe you and Cass went in together on anything. Looks like you *or* Cass Avery. Unless by pure accident the two of you happened to pick the same time, each of you to do one thing. I do'no'. But I'll find out."

"I wouldn't put it past you. You have got pretty good eyes. Good enough, even, to see that I can beat any case you could make out against me now. I see Miller is waiting for you. Maybe he's found Half-Shoes."

But the gangling deputy only wanted to report that his hunt around town had produced nothing.

"Mingo Nicelle's looking, too," he said. "But it's going to be dark, soon. No chance of finding anything, then."

"You happen to look for some sort of rough *barefoot* tracks?" Spinney asked him. "A man could yank off some shoes he was worried about..."

"By Gemini!" Lew Miller grunted, staring. "Never thought of that, but—'course he could. I seen plenty barefoot tracks! Never figured 'em. So many Mex' kids ride back and forth with barefoot ponies—"

He went out of the office in which they were standing. Rob stretched and looked at Ogden and suggested a drink. So they moved afoot to the *Antlers,* where there was some trouble having a quiet drink. For this was the pre-supper hour and the bar was crowded. Spinney kept in the background. He found that Fenway rather ignored him, even where it remembered him. "Hard Luck" McCune was shaking poke dice with Tibb and young Quinn, and he nodded and spoke cordially to Rob. But in no manner did the town warm to the man who had been known up to the day of his departure by the nickname Cass Avery had given him—Scarecrow. Apparently, the bartender who had seen Avery's downfall had not published the tale.

He went out and wondered restlessly. He felt very much the outsider. Place after place recalled to him incident after incident from his boyhood. He had always been an outsider, he thought. For nearly five years he and his father had been no more than saddle tramps, working longest for old Avery on the 79. There had been plenty to sneer at his father, because he had not shot it out with Dolf Benjamin to settle his wrongs.

"So, they think I'm as easy-going as he was," Rob Spinney told himself as he drifted, recognizing men who did not recognize him. "They say, there's that useless kid of Spinney's back. He's not ragged today, but you can tell by his not having a rodeo saddle trimmed up in silver that he's not much of a muchness."

His chin went up a little and his mouth tightened. He was going to stay here. His own country was going to look at him with respect, if not with liking. Two men of importance were ready to admit that he was grown—Enoch Wheeler and Al Ogden.

"That's a good beginning," he thought—and laughed.

He drifted back toward the sheriff's office. Ogden's horse was not at the hitch rack beyond the door. There was a light in the office but he only mounted Jesse James and rode to the Wheeler house. The sheriff called to him as he rode up the drive to put Jesse James in the corral and feed him.

HE SAT at the table with Gail and her father, and the sheriff talked

of conditions in the country, mentioned men who had died or moved out, brands which had changed hands. Spinney nodded and listened, asking occasional questions, until he felt that he had bridged the six-year gap. Gail ate silently, replying shortly to direct remarks, very evidently thinking of other things than those discussed. When Rob spoke vaguely of his riding she seemed not to hear.

"Riding on the Flag," Spinney said, "was plenty tough. The range was so rough that every little canyon had its big maverick and when you went after him you needed wings and when you tied onto him you expected horse, man and snake to come tail over tin-cup in the rocks. When you peeled a bronc' on the Flag you blame' well rode him—you were afraid to let him pile you! Take a Texas man and give him a year on the Flag and he was ready to take on any rodeo or hire out to the Bill shows."

"I know! I know!" Wheeler grunted, nodding. "I roped at Juarez and Fort Worth, years back. Made what we 'lowed was a kind of home-whittled world's record on steers, in Juarez. It stood as to time until a boy from the Flag busted it, couple years ago. I didn't feel so bad. He went on to be named world's champion cowboy, whatever that means, in three-four big rodeos. I heard he was one of the best rifle and pistol shots in the country, too, and he must've been. In New Mexico he rode for the old Shoebar and cleaned up an ugly mess with some mighty hard cases."

"Who was that?" Gail asked, jerking her eyes to him. "I remember you spoke of your old record being broken, but—"

"Boy name' Redbird. That Omaha feeder, Tross, told me all about him, when he was down here for my calves that he never got. The Carlos Kid, Tross says they called him, went all over the world with a wild west show. Roped and rode and shot before the kings and queens and nobility and all. And he was a Flag boy, Tross says."

"You see, Rob," Gail said gravely, "it just goes to show that you need only to make the most of your opportunities in this world and you rise. But you have to remember the maxims in the copybook as you write them. What's the matter? Are you thinking of going already?"

ROB SPINNEY grinned and shook his head, holding his watch open in a palm. He unfastened the plaited string that held it to a belt loop and put the watch down on the table.

"You were a great roper—a great one!" he said to Wheeler. "No riding man's ever going to forget you and Clay McGonigal when steer roping's talked about. I've done three-four things in my life that I'm a little proud of, but none of 'em begin to come up to the time that I broke your record on a big steer! Thought you might want to see this, Gail..."

They stared at the engraved back of the heavy gold hunter where in sapphires and rubies was set *The Carlos Kid,* above an inscription signed by an English prince.

"Not even getting that, for winning a private contest with some of the best buckaroos in the world, staged by a prince, lifted me in my own estimation as much as breaking your record," he told the gasping little man.

"The Carlos Kid...Redbird...Red Robin...Robin Young..." Wheeler muttered. "Well—I *will* be damned!"

Rob looked with sardonic left of one eyebrow at Gail. She was frowning at him. Now, she shook her blonde head.

"Well!" she said sharply. "So you did remember some of the copybook maxims while you wrote them—in a very poor hand!"

"Disappointed?"

"Surprised! You see, before you left the native heath—"

"I was a scarecrow—*the* Scarecrow, by Big, Handsome, Important Cass's

account. He was Heir to the 79, a hundred thousand dollars' worth of outfit. Naturally, either one of you—being the spoiled brats you were, both of you—could see anything good about a kid with his shirt hanging out of the seat of his old overalls. I could fetch and carry for Cass on the 79. I could bring your horse, at school—when I could get to school. Well, I noticed things like the way you and Cass tilted your noses at po' folks. I made up my mind, then, and I hung to the notion all the time I was away, to come back able to shove my chin out at anybody."

"The Carlos Kid!" Wheeler muttered again. "I got a lot of friends in New Mexico, Rob. So when they made you a deputy on the Shoebar and you never took a step back from any man or killed a man *but* stopped rustling in that neighborhood, I heard about it. And it was you I heard about, me not knowing!"

Feet clattered somewhere in the front of the house. Lew Miller stumbled into the dining room, panting.

"Al was shot. Shot bad. Dying!" he gasped. "McCune and me found him in the office. Shot twicet through the window. Been shot some consid'able while when we found him. Bled a lot. Hadn't come to when I left Doc Kent's."

Enoch Wheeler stared through eyes that were merest dusky slits in his coppery face.

"And me crippling around!" he said. It sounded as if he swore. "If this ain't nearly hell! Ogden down—nobody to turn to—Dolf Benjamin's murder to clear up—Ilah Vester's murder—"

Then he sagged in his chair, not weakly, but like a man who makes himself relax. He was moveless for long seconds while the three watched him. He began to talk softly to the deputy: "If I didn't think you're much of a man, Lew, you wouldn't wear that badge—you know that. So you know I'm not belittling you none when I say I can't tell you to take on where Ogden dropped things. Hunting out evidence for trials ain't one of the things you're cut out for. You're the bulldog, Lew, not the fox I have got to have. I'm going to—"

"Not Robin!" Gail cried suddenly. "You're not going to put Rob in!"

"I am if he'll be put!" Wheeler snapped.

"Why—he's one of the—"

She stopped herself. Miller was staring from one to the other of them, a puzzled frown between his eyes. Spinney looked at her and she shook her head violently at him.

"If I can help you—and if you don't mean to make a trained poodle out of me—and if you can appoint me without bringing a yell from everybody—I'll do what I can," Rob said quietly.

"Hold up your hand! I'll swear you!" the sheriff grunted.

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ROB SPINNEY and Judge McCune sat in the office, a little after 11 that night. Lew Miller was out of town. Grim old Soto, the Mexican jailor, snored in the empty cell-block behind the office. McCune watched him through the blue smoke of his inevitable cigar.

"I think and I think," McCune drawled. "But somehow my puny old intellect won't do anything but put the questions. No answers. Why—and how-come—you for acting sheriff, son?"

"It's the blamedest thing!" Spinney answered in complaining voice. Everybody admits I'm beautiful, but won't believe I get favored because of that. Well, le's see where we stand: Nome Irwin has got that .38 in his store window for everybody to see and

maybe identify. Doc Kent is ready to swear that his trick of looking through the microscope at bullets and shells really works, so the .38 Peso picked up under Cass Avery's window is tied to Dolf Benjamin's murder."

"Why hang it up at Nome Irwin's, if you know that Cass Avery threw it out of the window?"

"Because Avery had to get hold of that gun somewhere! He packs a .45 same as most men. Maybe he bought or traded it from somebody around here—a long time back, it could be. If that one-time owner sees it—wanted tc talk to Cass tonight, but I reckon tomorrow'll do. He's certainly keeping out of sight, but his horse is still in a stall at Luis Razo's stable. I don't think he's skipped. I wonder if Ogden got to question Cass..."

"What about our ex-friend of Avery's, Doggy Magee?" the judge inquired, watching narrowly. "He knows Cass' connection with the .38. Won't he publish it over town?"

"I—somehow don't think so. You see, I spoke into the nigh-ear—I'm pretty certain it was the nigh-ear—of this Mr. Magee. I said that it would pain me to find that he'd grabbled about that. And pain him worse. I believe he believed me."

"I believe that your belief is well-founded! And that seems to bring me most naturally back to the question I've been asking: Why the hardheaded Enoch Wheeler chose you as his representative, in the most ticklish time Fenway sheriff's office has ever known? Could it be that the worthy Enoch possesses information not held by others?"

"Funny thing!" Spinney told him, confidential of manner. "I do believe that the old boy heard some tales about my monkeying around with bronc's and ropes and guns and overestimated me. Redbird—uh-uh! The name's good for a meal in a few spots around Fenway. But spell it a li'l' bit different, the Carlos Kid say, and it's good for a badge."

"Oh!" McCune drawled, staring. "So that's the how of it! When that old roping record of his was broken, he talked for days about it. He'd been *so* proud, all his life, of that time he made, that when it was beat he had to admit that the roper doing the job was at least thirteen foot tall. And you walked in on him. Son! The wonder is, he didn't just resign when he'd handed you the badge. For you'll never guess how much he thinks of the Carlos Kid!"

"*No es importe!* Doesn't matter, right now. The thing is to clear up these tangles and keep him from souring on me. I have done a little stock-detective work, so it's not all new to me. Just maybe I'll loop our murderer."

"I wouldn't be surprised. Somehow, I just wouldn't be a bit surprised. Well, I'm going to seek my virtuous couch. 'Night!"

For a while after the judge had gone. Spinney sat smoking in the office. He wondered if Cass Avery had killed Benjamin—killed and robbed him after killing queer, kindly, shrewd old Ilah Vester in an attempt at robbery. He did not share Gail's belief that Cass was capable only of an open killing. He had seen a few of the swaggering Avery's actions which left him with no assurance that Cass was incapable of anything.

"The only thing he's above is the ground!" he thought grimly. "He's got robbery of Ilah, knowing that the old man had that wad of money. He's strong enough to hammer Ilah to death. He's got nerve enough to slip out after Dolf—knowing that if Ilah didn't have the money Dolf did—and shoot Dolf from behind. But I somehow can't see him doing two fool things: Riding a horse with halfshoes and throwing that .38 out of the window in plain sight."

He got up, looking at the window

through which two slugs had come to tear into Al Ogden. It was shuttered and curtained now. Scarred old Soto's harsh snoring indicated that the jailor had not been worried by the shooting. Nor was Spinney in the least troubled for his own safety because Ogden had been shot—doubtless—to keep him from investigating the murders.

HE BLEW out the lamp and crossed to the door, opening it quietly. Lights still burned in the *Antlers* and nearby Grotto and a few other buildings of Fenway. There was a little wind now, rustling the dead golden leaves of the cottonwoods along the street. With the sound gone the November air was cold. He turned up the collar of his woolen jacket as he walked towad the lighted window he could see, a yellow square in the wall of Dr. Kent's house. Ogden was there.

The wind made cigaret rolling difficult. He stopped at the corner of the courthouse where pale light from the *Grotto* front let him see his fingers and the tobacco. He was facing the dark houses and the line of sighing trees opposite. The wind whipped his paper away and instinctively he leaned and snatched at it. As he moved, the shot sounded and from the darkness across the street a flame stabbed out.

With the smooth movement of infinite practice he drew the Colt which had been sagging at his side. Automatically he let the hammer drop when the barrel had leveled upon the place where that powder-flash had shown. He had heard the first slug thud into the 'dobe wall close behind him. Another sang near his face as he fired. But that was all. He emptied his own gun flashingly, but methodically, sending two shots to seach the darkness at ground-level, then shifting aim to drive lead right and left of the place where he estimated the assassin had been. Then he slid back into darkness to squat and reload quickly.

Men were gabbling in the *Grotto,* but none had come outside. When he had rammed cartridges into his Colt—filling the cylinder for the occasion—he an across the street, going fast and lightly, until he was sheltered behind a great cottonwood trunk; to listen and look. But there was no noise except the voices of the rousing neighborhood, the sound of doors and windows opening.

He crossed the sidewalk here and found the opening between two buildings, down which he thought the bushwhacker had run. He got out a match, then turned.

"This is Rob Spinney!" he called to the men in the *Grotto.* "I'm going to light a match. Don't start shooting."

There was a smudgy footprint in the sand, but it told him nothing. Men crossed to him at the run, until a dozen or more were about him. One grunted and stopped at the edge of the growing crowd.

"Here's somebody's hat! Got a hole in it, too!"

"Let's take it over to the *Grotto,*" Rob said quietly. "No use trying to find that fellow tonight. He may be right here in the crowd with us. I see three-four of you bareheaded!"

The hatless men hurriedly explained themselves. Spinney laughed and led the way over to the saloon. The hat was an old gray Stetson, lacking either sweatband or outer band, without a mark other than stains and smudges of dirt.

"Well, I'll hang onto it, anyhow," Spinney told the crowd. "Kind of a souvenir—a would-be murderer's hat, if it's not a double-murderer's hat."

"I was just thinking," Judge McCune said thoughtfully, from where he stood near the door. "I don't believe I've ever been properly grateful for my—figure. I came past that spot, Rob, but nobody could mistake me for you. And so I wasn't dusted. How much finer to be safe than beautiful!"

He looked down complacently at his bulk. Spinney grinned somewhat

absently. In the *Grotto*—into which men still came in search of news—he saw nothing of the man he wanted to inspect. Cass Avery was not here. He knew well enough that the hat picked up, which undoubtedly he had shot from the head of the man who had tried to kill him, was not Avery's hat. But, like the cheap .38 revolver, it might have been got somewhere for a purpose. Someone might recognize it, though nobody had.

There were plenty of men to stare curiously at him. He conceded that they had reason. Grim, shrewd Enoch Wheeler was almost a legend in this country. He picked himself the best men available for his staff of deputies. Yet, today, at a time when as McCune had said the sheriff's office had more problems than for years, he had made acting sheriff a very young man—and one who was practically a stranger to Fenway.

Two men coming in now stared at him so that they might have shown—summed up in their expression—what the rest of the town was thinking.

Olin Pike, the bank president, pushed through the crowd as by right, a stocky, square-faced man whose seventy years had not slowed his step or put more than an edging of gray in thick, curly dark hair. He was an old-time Ranger and Original Settler of the Fenway country, efficient, honest, harsh with friend and foe alike. Beside him waddled Hale Jordan, vice president of the little bank but a trader in cattle and land, a red-faced man in early fifties, with peering blue eyes and slow smile. Spinney remembered Jordan as more popular than prosperous, but he was another *viejo*, an old-timer like Pike, so the country liked him in the bank.

"What's the trouble, son?" Olin Pike demanded sharply. "Somebody shooting at you already?"

HIS TONE was the one he used to unimportant employes and Spinney bristled. But he explained quietly and Pike growled, "I wish Enoch Wheeler get out of that damn' chair and stop all this foolishness! And I hear you and Miller are put to handling the office. It does seem to me—"

He seemed to become conscious of Spinney's cold, bright stare. He stopped short, began to glare, then subsided, mumbling. Hale Jordan smiled at Spinney and put out a huge, freckled hand.

"I reckon we can trust Enoch Wheeler to pick a force that's *'sta bueno*. Glad to see you back home, Rob! Me and your pa was good friends many a year. And it does look like you proved one thing: You're a better shot than that bushwhacker!"

Rob Spinney shook hands and thanked him. He had to do more handshaking among late-comers. He wanted to get away and hunt Cass. But the heir of the 79 saved him the trouble. He came up the bar from somewhere in the rear to stand looking grimly at the blank-faced Spinney.

"What's all the excitement?" he grunted contemptuously. "Wheeler's softening of the brain—putting you in—rouse you up to shooting off your great, big pistol in the street? I could hear it clean down at the Toro."

He was informed by several men, excitedly, of the shooting. Rob watched—and he thought McCune was watching, too—very narrowly. But Avery's florid face showed nothing but his habitual arrogant sneer. He shrugged and turned to the bar at last. "And I came all the way here for that! Gi' me a drink, barkeep'. Likely, it was an honest mistake, at that: You take a young fellow and pin a shiny, new badge on him and hand him a gun and he'll booger at everything around him—in the dark. Shoot at witches and hobgoblins and things every time the wind flutters the leaves or a cat trots by."

Spinney ignored him. McCune

bought a drink for the men at this end of the bar. Rob stood between Olin Pike and Hale Jordan. Pike asked him abruptly, but in a low voice, what he thought of Dolf Benjamin's murder. Rob shrugged: "I'm just gathering up strings as I see 'em. Maybe one will be tied to something—or somebody. I've got a day's work planned for tomorrow: Trying to see who *didn't* kill Dolf."

"That's the trouble," Jordan agreed. "Most anybody might have killed him. You're not a bad suspect yourself. Nor—Cass. I managed to get along with him tol'able well, but just the same I'm glad witnesses can put me in the clear. He never bothered Olin Pike because that wasn't good judgment on either the gold or the lead accounts. But—Hard Luck! Can you prove you never downed Dolf?"

"I'm going home—right now—to fix up my alibi."

"I'm going to turn in, too," Spinney said. "This hat and me!"

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AFTER breakfast, Judge McCune held his inquests in the justice court room. Proceedings were brief and marked with little of formality. The justice-coroner officiated as if bored with the testimony of the several witnesses. Rob Spinney testified to finding the body and observing the tracks of the horse with little to add to this testimony. Others came to the stand in the cases of Benjamin and Vester. McCune announced his open verdict—party or parties unknown.

When he and Spinney were alone at the bench for a moment, he rolled an eye at Rob's frown.

"Well? Suit you?" he asked. "Nothing about Cass Avery and the pistol. Even though our shining example of civic virtue, Mr. Doggy Magee, was very plainly waiting his call to the stand."

"No use tipping the hand. Where we want talking done is at a trial, not an inquest. I'm going to work, now."

Mingo Nicelle and Hale Jordan came to the bench. Jordan spoke of the inquest. Nicelle only waited silently.

"I think we'll heel John Q. Bushwhacker-Murderer, all right," Spinney said slowly. "One thing is certain, nothing ever happens without leaving a sign. Sometimes, nobody reads that sign—even notices it! But it's there. Nothing moves on this earth without making a track. These murders are not exceptions to that rule. There's sign. Maybe it has been noticed. But just because a man sees a mark is no reason to let out a yell. It takes time to work up a case that a jury will convict on. Especially—Is old Kalem Weiss still spellbinding the juries of Fenway?"

"More so! Much more so!" McCune assured him. "You understand, of course, that any remarks I may make about my esteemed associate in the study and practice of Mr. Blackstone are ex cathedra, sub rosa, ex officio and besides, I never said it. But Weiss' never had a client convicted of murder. I have even heard it whispered that to employ Weiss is to admit guilt and save neck! You understand, I wouldn't even repeat this possibly baseless gossip."

"You mean, Rob, you know who killed Benjamin and Vester?" Hale Jordan scoffed, peering down at the shorter man. "More'n Avery, Ogden, knew?"

"Nobody will know how much I know until I hand over my case to Tibb and Quinn for the trial. As for what Ogden knew—he's not in shape for talk. Even if he lives, which is not

sure, Doc Kent said a while ago, he won't talk for a long time."

He went out of justice court and straight to the Fenway Hotel. Mrs. Oxton, lean, stooped, sinewy and shrewd, eyed him long and hard, then smiled and nodded.

"You'll do! Six years can make a awful change in man or boy. Both ways! I was wondering about you, Rob. But it done you good to git out and hustle. And it done Cass plenty of good to have you come back able and willing to pitch him into the stove like you done in the *Antlers*. And it'll do some more folks good to have the pore boy they always sniffed at back and ready to do some sniffing. Gail Wheeler's, a fine gal, Rob; I know better'n most folks, and likely better'n she does, just how fine she is. But she's had fool notions all her life account Enoch's a nat'ral born Midas-money maker and always was. But now—Son, I hope you learned to shoot good!"

"I belong to one of the high-uppest shooting societies in the world," Rob Spinney said gravely. "Mosquito Left Eyers. Nothing but left eyes will do us. And if we miss even once in a thousand shots, we break out crying. I'm the only member."

"Ne' mind the hoorahing. But I'm glad you can shoot. It does look like somebody don't aim to have the sheriff's office exploring around these killings."

"Cass Avery in his room?"

"Uh-uh. Went out as soon as he had breakfast."

"Then I want to see his room. That's just a favor I'm asking. I'm wandering around today, mulling things over."

"Did Ogden tell you what I told him? It was a li'l' bit before he got shot. About Cass Avery not sleeping in his room night before last. I seen him slide out the window! But you know Cass and I know Cass. He is still the lady-killer. So I just figured he was sneaking off to see some gal he never wanted Gail to know about. One thing she's got twicet what she needs of is pride. And well Cass knows it! And he's mightily anxious, I can tell you, to kind of irrigate that 79 trail-end that's left with a lot of cash. If she even suspicioned he was up to his old tricks, hanging out with the Mex' dance-hall floozies around the *Toro Cantina,* she'd slap his ring back in his face so hard it'd knock his eyes out."

"No idea when he got back?"

"Uh-uh. But it wasn't in time to sleep in that bed. The maid says it was rumpled up some but she could tell it was just a stall. When Ogden jumped Cass about that .38 gun he throwed out the window, Cass claimed he had slept here all night and I was mistaken about his leaving. He says he saw the .38 under some papers in a corner of the room and looked at it and chunked it out because it was no good. Oh! The room he's got he just insisted on having—first floor..."

SHE LED the way down the hall to the back of the house and unlocked a door. Spinney stood looking about the big, scantily-furnished room and she went away. Bed and high wardrobe and wash stand and a single chair, upon a faded rug, furnished it. Avery's saddle bags were on the floor. They held clothing and brush set in leather case, nothing else. Spinney looked under the bed and in the wardrobe, then crossed to the window and examined the sill where there were smudges to indicate that someone had slid over.

"Not a bit of proof, one way or the other!" he thought irritably. "I can just see old Kalem Weiss standing up in court, shaking his white mane and explaining about Mrs. Oxton's perfectly natural mistake and how Cass saw that cheap gun and sniffed at the thing and tossed it outside, No go!"

"What? Didn't find anything?" Cass Avery inquired mockingly from outside the window. "For a snooper,

you're not well-fixed—got nothing but the sneaking instinct!"

"Nothing—yet," Spinney admitted slowly, continuing to look around. "But there has got to be a beginning to everything."

He pivoted easily. Cass' grim face was against the mesh of the screen. He was pointing his Colt at Rob, who came to the window as if he had not noticed the gun.

"Come on in. I'll open the screen for you."

He pushed back the hook and stepped away. Cass ducked under it, put a leg over the sill and slid into the room. He had not lost the drop during the movement. Rob Spinney gestured with a thumb toward the waisthigh pistol. "Put that away, unless you're looking for trouble. You know town-law. And you know well enough that I represent it—whether you like that, or not."

Avery hesitated, then shrugged, grinning. He thrust the Colt into his waistband but hooked a thumb in his belt close to the carven steer head that was its butt. Then he leaned against the wall and looked Rob contemptuously up and down.

"Don't let a trick and an accident make you think for a minute that you're not due for trouble—lots of trouble. Or that pinning on the badge that old nitwit Wheeler handed you is going to stop me wiping up the street with you. But go on! What're you hunting in here? I'll let you talk—a li'l' bit!"

"Ogden was shot around seven last night. He'd been talking to you. And you'd been lying to him. Part of the time, anyway. I want to know if you can prove by witnesses that you couldn't have shot Al."

"Hadn't thought about it," Cass said carelessly. "Likely, I was right here. He asked a lot of fool questions and I answered whatever I felt like. Then he left and I went out to the front and stood around, then came back here."

"You didn't sleep here, night before last. Where did you go? Where did you spend the night? What were you doing? And you had better remember, Cass, that you won't strut through this business! I'm investigating two murders and what may be a third murder. Don't think that I won't clear 'em up, or that I can't clear 'em up. For you'll find yourself out of date so fast it'll make your head swim. You'll do some talking that satisfies me, or I'll slam you into the calaboza so fast—"

"Are you accusing me of those murders?" Avery cried furiously, straightening, thumb-hooked hand sliding back to cup over Colt-butt. "Because, if you are, I—"

"You had reason to kill him. Every man in this country with a grudge against Dolf Benjamin is going to prove that he didn't murder him. Every man who could have murdered Ilah Vester is going to prove that he didn't murder him. Get that into your head. You can start proving things. You admitted to Ogden that you had in your hand the gun that killed Dolf—"

"I admitted no such thing! I found a cheap gun in this room and threw it out. I don't know how it got here. I don't care how it got here. And all this kid-monkey business—"

"Doc Kent will swear that the gun you threw out is the gun that killed Dolf. He's got that microscope of his telling fortunes, these days. Shells and bullets just tell everything they know, when Doc turns his lens and his camera on 'em. And he enlarges his pictures so any jury can see the truth! I've got enough to go on, right now, to put the cuffs on you—"

"Why, damn your impudence!" Avery snarled. "I'll slap you from one end of Fenway to the other, then boot you over the line. You'll be the wreck they date time from—"

"You won't more than start toward me!" Spinney checked him coldly. "Your eyes are bad; your judgment's

worse. You've got by on Old Man Avery's rep and your own wind so long that you probably really think you're something. To me—you're nothing! You're not even a cowman—the whole county knows it. Unless you manage to hoodle Gail into marrying you and Enoch Wheeler into paying off the mortgages, you won't have a cow or an acre or a dime, a year from now. And you know it!"

His hand hung loosely at his side. Avery gripped his pistol, lips drawn back from his teeth.

"Right now," Rob Spinney told him grimly, "you're trying to play the old situation on me. But that's gone for good. It's not Old Man Avery's swelled-up pup talking to the tramp-kid of the 79. It's a suspected murderer answering the questions of the sheriff of the county. You can't bully or bribe your way out of this mess. The only way you'll get out is by clearing yourself. Personally, I think you're a prize wind-bag, a two-by-four bully, with a wide streak of yellow in your back. And I'll be glad to show you why, any time that I'm not busy. Officially, though, you're just the same as anybody else to me—as good as a sheep-herder, even! You'll get a square deal. But don't run off at the mouth about what you'll do. I might get my personal and official sides mixed—and wreck you!"

"You—" Cass began thickly. "Want to land where Al Ogden is, maybe? You—"

He jerked the Colt from his waistband. But Spinney had anticipated that. To the trick-shot practiced in twenty amazing tricks of drawing and shooting, the draw and shot he did was simple. Cass cried out with the roar of the gun and his pistol thudded to the floor, unfired. He shook his skinned knuckles and tears of pain came to his eyes. Spinney moved to kick the Colt aside.

"Yup!" he commanded coldy. "Let's see what else you're wearing."

Desperately, Cass struck at him. He swayed aside from the sledging fist and flicked Avery's head lightly with the barrel of his gun. The big figure went down with the crash of a poll-axed bull and Rob, looking up, saw Hale Jordan, Mingo Nicelle, Tibb and Quinn, crowding close to the window.

"Was hunting you, Rob!" Jordan cried. "Then we heard the row and we come over. Heard him say you'd land where Ogden landed. Lord! You certainly handled him smooth and quick!"

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ROB SPINNEY stared from one of the tense group to another. He stirred Cass Avery with a toe but the tall figure was limp. So he bent and searched him, getting out a heavy stock knife from Avery's pocket, but no other weapon. Then he said without looking up: "How-come you hunted me, Mr. Jordan?"

"Oh, hell, yes! Nearly forgot! We found the half-shoes. Lew Miller has got 'em, Rob. He went to the office looking for you; we come this way. He got to thinking about what you said—about a barefoot horse, you know. He told Mingo and they scouted around. Avery's horse was in a back stall at Luis Razo's. Barefoot! And under some hay under the rack, Lew found—"

Cass Avery stirred and groaned, putting a hand to his head. He sat up, his face looking more puffy than usual, to scowl around him. He muttered under his breath, then scrambled to clench big fists.

"Take it easy," Spinney counseled him. "Even in good shape, you're not a hell of a lot. But right now you're a good deal less than most times—if that's possible. My—lord! You can't fight with your fists. You can't pull a

gun. I doubt if you could hit a barn a-wing if you started shooting. Either the Fenway country is puny to the dogified degree, or it's been most amazingly long-suffering toward you—Cass! A log of places I've been, a fair-sized boy would run the like of you clear out of the edges. But that's not important, right now. Shut up! Don't open that horse collar trap of yours till you're told! You save your breath for answering questions."

Avery swallowed nosily. His breathing was audible.

"You know that we found the trail of a horse with half-shoes, out by Dolf Benjamin's body," Spinney went on grimly. "Not much doubt about the rider of that horse being our murderer. So we hunted that trail—or some sign of those shoes. Now, I hear they've been found. You're going to hear the same. All right, Mr. Jordan, go ahead!"

"Cass' horse has had the shoes just yanked off him. The two sets of shoes —a regular set and a set of half-shoes —we found under the hay in the stall that Cass' horse is in!"

"That's a dirty lie!" Avery yelled, lunging at the window. "Or some of you town-thieves pulled the shoes off Blaze and his those half-shoes! If you think you can hang a murder onto me that way, you've got another think coming! And if you think you're going to arrest me—"

"I've *already* arrested you," Rob said quietly. "It would have been a lot easier to kill you, Cass. And you know the whole country would have backed me up, if I had slammed you plumb-center, instead of just skinning your hand. Maybe you didn't murder Ilah Vester, then sneak out to murder Dolf and rob him, then try to shut Ogden's mouth. But you're the best suspect I've got and I'm going to show you how much I treasure you, Cass: I'm going to put you where no dog can bite you!"

Avery drew a long breath, stiffened —then relaxed. "You've got the drop! Another one of those lucky accidents of yours. But this is the last of 'em! Come on. You'll see how long this fool charge of yours'll stick."

"Ain't you going to handcuff him?" Nicelle asked amazedly—apparently for all the men watching.

"Why, he'll lead with a thread," Spinney reassured them cheerfully. "If he starts to get snorty, I'll whistle to him—or maybe sing. They say music hath charms to soothe the savage como se llama—don't remember all of it. Don't you worry!"

He trailed Avery out and down the hall. They walked side by side, Cass very stiff, Spinney lounging with careless manner, to the sheriff's office. Old Soto stared, then blanked his scarred and seamed brown face.

"I want to bury him," Spinney said with nod at Avery. "And when I come to dig him up, I want damn' well to find him!"

"Ho! You don' have thoss worry." Soto drawled. "W'at weell go in thoss cell, weell come from thoss cell, w'en you need heem. Yais! Thees is ver' es-safe cell, Don Robin!"

As the iron door banged upon Cass, Lew Miller came in. Almost, he looked excited. Andy nodded to him.

"Hale Jordan told me about you finding the half-shoes. Good work, Lew. I suppose you know we've got Cass inside."

Olin Pike came in after Miller. Other prominents of Fenway followed, then men not so promnent, to stare at Spinney. Pike took one of the old kitchen chair tilted it against the wall and hooked his high heels in the rounds. Everyone seemed to wait for the old man, even Tibb and Quinn.

"Well," Pike admitted, making a thin cigaret, "it does look like you're making out, son. Nobody could help arresting Cass. And I reckon nobody can do much toward talking him out of this, either! Not even Kalem Weiss. Weiss might cry a jury into calling

Dolf's murder just a mistake, but not Ilah Vester's. If Ogden dies the way it looks like he's going to, that'll be the same as pounding the nails in Cass' gallows! Vester and Al Ogden had plenty friends, if Dolf never."

"I couldn't help arresting him," Spinney said without enthusiasm, drawing in smoke. "But we're still a long way from making a case against Cass. I wouldn't be a bit surprised if the evidence pointing at him is pointing at the right man. But I haven't located a witness to send him riding out after Dolf—or anywhere around Vester's—or around here at the time Ogden was shot. The half-shoes are found in his stall at Razo's; the shoes have been jerked off his horse. That looks bad, but can we prove that Cass was silly enough, or pressed for time and chance enough to leave things to be found there?"

HE SHOOK his head and looked around at them. "Cass says he found the .38 in his room and threw it out the window. The gun's not new. Where did it come from, before it was used on Dolf? The shells Lew Miller found out in the arroyo looked fresh. So were the shells in the gun when Cass threw it outside—and it was an odd thing, to throw a loaded gun out. Where did they come from? Nobody in Fenway admits selling any .38 shorts. Nobody but Nome Irwin even had any! And his two boxes—"

"Hey!" Nome Irwin, the gaunt, gray storekeeper, appeared in the doorway, panting. "Hey! Rob! Them two boxes of .38 shorts is gone off my shelf. And nobody sold 'em. They just naturally, bodaciously, disappeared!"

"Caballeros y conciudadanos!" Rob Spinney groaned. "Gentlemen and fellow-citizens! Now, I have got to hunt a sneak-thief. Knowing that I may find him with a hundred .38 shorts all bright and shining—and all the work done for nothing. Lew! Let's lock up those half-shoes. Soto! Let's stick out here and sort of discourage chair-warmers today. We don't want any of our evidence going along with those shells. Is that gun all right, in your window, Nome?"

"I got two clerks watching it—always one eyeing it."

Spinney went out with Olin Pike and for a time wandered about the town. He tried at the *Toro Cantina* to check Avery's movements at the various times connected with the three crimes, but got no testimony of value either to himself or Cass. He watched the shifting groups before the .38 pistol in Nome Irwin's window, staring, talking, going on. In the livery corral he looked at Avery's big bay. At last he loafed over to sit with Sheriff Wheeler for a time and recount what he had done and what he knew. The little man listened intently, but at the end he shrugged.

"Reckon you're doing all anybody could do," he said. "And a sight better'n I had any right to expect you to do, coming in this way almost a stranger. Cass—I swear I wonder about him. I never did like the boy. But Gail—She has got about what she wanted, all her life. I never could see to snub her, Andy. And it's been understood all their lives that she and Cass would eventually get married."

He shook his head, staring blankly out across the waving tops of the salt cedars.

"Funny...You and Cass are the only boys Gail ever seemed to think about. Huh? Yeh, I reckon you wouldn't guess that. But she was worked up about the kind of deal life—and old Dolf—dealt you people. She's wondered about you in the years; ask'd me lots of times where I thought you might be. It wasn't the same feeling she had for Cass, of course. She's always been crazy in love with him and I do believe he's in love with her. Hard for a tough old rooster

like me to know much about young folks' affairs. But I do believe they are awful much in love. Else I would have bulled into it long before now."

"I certainly never thought she was worried about me—not a li'l' bit," Spinney confessed bewilderedly. "She never even looked at me, so far as I know, when we were kids. No reason why she should have. I was a kind of drudge on the 79 and I felt it and the only thing I could do was act mean and sulky to everybody. I don't see how anybody could've liked me much!"

"WELL—I DID," Wheeler assured him, with the ghost of a grin. "Maybe because I could see underneath and figure out the whys of your meanness. And for some reason or other, you made an impression on Gail. She's a queer child; hates to show what she feels, somehow. That's the Wheeler in her, I reckon. But she thinks a lot of you and right now she's as proud as I am, of the things you have done."

"I saw her on the street," Rob Spinney said vaguely. "She was set on something. Didn't see me. Well, I had better start on my rounds. Do'no' that I wouldn't find out just as much, sitting in the office and waiting for somebody to come in and tell me what we need to know. I'm kind of expecting Will Zanker and the old lady in, puffing fire and smoke. They'll want to know why we haven't got Dolf's killer on the trap and ready for them to jerk the world out from under him. Maybe I'll send 'em to you!"

But his "rounds" that day produced nothing to help him with his problems. He talked to many men and was pleasantly impressed with the way their first coolness was thawing. He understood that much of this was due to Enoch Wheeler's action in making him acting sheriff. What Wheeler did was good enough for a large majority of Fenway people. If the sheriff saw worth in the one-time Scarecrow of the 79, Fenway was willing to admit that worth must be there. But someone had now told of the three clashes with Cass Avery and in this two-fisted community such things were heavy in the scale when a man was judged.

Toward supper time he sat in the office with Lew Miller, Soto, Mingo Nicelle and Hale Jordan. The talk was spasmodic. Spinney went over and over his puzzles. Mechanically, as he smoked and thought, he played with a gold-plated, pearl-handled derringer, one of a pair of fancy .41's given him the year before. From hand to hand, in sleight he had practiced for years to keep his fingers flexible, the little gun spun and darted, vanishing, reappearing. Hale Jordan noticed.

"Why," he marveled, "you're as good as a juggler! Where'd you learn that, Rub?"

"Years back, when I was first with a little show. I wanted to do trick shooting and juggling's pretty good practice."

"Oh! So that's how you could shoot the gun out of Cass' hand! Trick shooting, huh!"

NICELLE put out a hand for the derringer and he and Miller admired it. Andy hardly noticed. Through the door he looked across the street to the place where his bushwhacker had stood the night before. But Gail Wheeler stood there, now.

"Little heavy on the trigger, ain't it?" Nicelle asked. "Or do you like it that way? Most pistols, new, are right stiff. I bet I have eased up a hundred. I ain't a gunsmith, but—"

"It's about right for me," Spinney answered absently. Gail had hesitated, but now she was coming over.

"You do a lot of trick shooting?" Hale Jordan inquired. "There's a boy with the Lone Star Show I heard

about. They tell me at all-around fancy shots nobody in the world can touch him. The Carlos Kid—"

"Oh!" Gail said, stopping in the doorway. "So you know Robin's alias, do you, Mr. Jordan?"

"Rob? Huh?" Hale Jordan grunted, and Nicelle and Strip gaped. *"You* are the Carlos Kid— Well—"

"World's record at steer roping!" Gail said, in the tone of a barker. "Twice crowned world's champion cowboy! Rides anything that's got two hairs to cross! Performed before the crowned heads of Yurrup! Give and pre-sented a gor-gee-ous gold watch all set with precious stones by a prince of England— Now in special engagement as the fearless sheriff of Fenway County, Texas, and— If you gentlemen don't mind, it's in that capacity that I want to confer with him."

They got up, Spinney standing with small frown. But Hale Jordan still stared and shook his head and mumbled "Carlos Kid." When Soto had retired to the dusky hallway before the cells and Gail and Rob stood alone, the girl looked gravely at him.

"Can I see him for a minute?" she asked. "It's important, Rob. I have got to talk to Cass. Alone."

He stared at her with dark brows drawn together. She smiled suddenly, flashing, and moved until she was very close to him. She put up a hand to the center button of his blue jacket and twisted it, looking at him slantingly.

"I'm not going to slip him a file or a shotgun. It's just that— Be a nice boy, Rob. To me, I mean. For you are a nice boy, in a general sort of way."

He thought of no real reason for refusing her, but thought of her in the arms of the loud and swaggering Avery irritated him. He said perversely: "No sense to it! This is one time Cass' going to have to get himself out of a jam. You can't help him."

"I think I will be the judge of that, Mister Spinney!" she said angrily, then shrugged and smiled at him again. "I don't want Dad to know about it, so I came straight to you. It did seem to me that you'd be willing to do a favor. I would do a lot for you, Rob. Don't tell me that you've decided you don't like me any more!"

"Oh, I haven't got anything against you, particularly. And I do appreciate your taking time to think once or twice—in six years—about the Scarecrow. Considering how it pleased you to have Avery the Great admitting that you weren't so bad, I got more thought than I had any reason to expect. I—"

"You—" she began, then stopped short, dropping her hand as if the button had burned her.

She whirled toward the door and he let her go, though he had to check his impulse to call her back. Then she stopped and turned to face him.

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ROB SPINNEY controlled his face, watching her. She hesitated, then came back to him and leaned upon the end of the table.

"Such a double-hung tongue!" she said. "But I'm not going to squabble with you. I have—other thoughts. Just now, I have a small proposition for you, Rob: If I tell you something important about these murders, will you promise not to repeat it without my permission? I know what you think—"

"A dollar to a plugged penny you don't. You or anybody else. You'll know what I think when I tell it out loud!"

"You think that Cass went to rob

Ilah Vester, had to kill him, then rode out after Dolf Benjamin and killed and robbed him of the money Ilah had given Dolf, then came back to town and got the half-shoes off Blaze and didn't have time to replace the regular shoes. That Al Ogden scared Cass, talking about the .38, so Cass slipped down here and shot Al to shut his mouth or keep him from uncovering more evidence. Don't you?"

"If I do, what about it? Anybody could guess that much!"

"You promise, now, that you won't repeat what I tell you?"

"Uh-uh," Spinney drawled, grinning. "No telling what I'd be letting myself in for. The trouble with you beautiful gals is you're always wrapping men around your fingers. I read all about it in a book. You go around wrecking men's careers and awful things like that, Gail. I wish you'd go away. Just because I used to— Ne' mind! I'm not promising anything."

"You used to—what? Like me? I know you did! But, Rob, if you don't promise to keep this a secret, I can't tell you."

"Then don't tell me; I won't lose my beauty sleep over it."

"If you aren't the most aggravating human! Rob... What would you say if I told you that—that I'm not in love with Cass? That our engagement was the result of a sort of habit and went on because I didn't stop to really think? That's the truth! And the minute Cass' clear of these charges I'm going to break the engagement. I can clear him of the charges, too! Yes—sir! Within ten minutes. But I don't want to do it, the way I can do it."

Spinney was making a cigaret. He lighted it, drew in smoke and lifted his chin to blow rings toward the ceiling.

"I'm just the shurf," he said placidly. "Ain't for the likes of me to go around juryizing. If you was to bring the gal in to clear Cass I couldn't pass on her tale. She'll have to come into court and testify."

"She— How did you know? Did Cass tell you? Did he admit that he was with her?"

"No; you did that. Gail, you're about as hard to read as primer print! When you come in and say that you can clear him but you don't want to do it the way you'd have to, that spells just one thing: Girl! For I know you and I know Cass. That neck of yours is stiff as a poker. You'll play Number One Fiddle, or nothing. I believe, too, that Cass being the richest and best-looking man in the country had something to do with your marrying him."

He looked tolerantly at her flushed face. "Yes, it's all simple. Cass has always made love to the nearest girl. Even before I pulled out, Old man Avery was trying to hobble him. I know of three cases— Ne' mind! He told you that nobody came near you, in his eyes. But he went right on the way he'd always gone. You had a pretty good idea that he was doing it, too. But so long as it wasn't actually flung in your face, you could stand it. Then—"

"The Starrs had a baile," she said between her teeth. "He went to it, to make love to that—that—Dolores Starr. That thing! When I heard that he hadn't been in his room, I could put together things I'd heard whispered. And she— Why, she laughed at me! She told me that brunettes seemed to please the men in this country better than blondes! That—"

"So that's where he was! I don't know her. Of course I know old 'Stacio and I remember that some of the girls were downright beautiful. No es importe! Have you told Kalem Weiss that Dolores Starr can and will clear Cass?"

"I haven't told anybody! Kalem Weiss will have her on the stand, if it comes to a trial. She'll glory in testifying. And everybody in the country will laugh at me!"

"She may not be so good for Cass as you think... The jury may look at her and decided that she's the kind of girl who'd do a neat job of perjury with the ends tucked in. Particularly if they think she's crazy about Cass. And his record indicates that she might be. Amor de dios! The way that big windbag has had you girls trotting up when he whistled— I do'no'."

"But you can think of something Rob! Some way to clear Cass without bringing her into this! Rob—"

SHE SWAYED against him, hands catching at his jacket, face lifting. Automatically, it seemed to Rob Spinney, his arms went around her and he kissed her. She opened her eyes and smiled at him. He shook his head, frowning.

"This is going to get us nowhere! You know why you let me do that. I know why you let me—tolled me into it. But—"

"Do you think for one minute, you nitwit! that I would kiss you just to persuade you to do something?"

"I don't think—I know! And it works, chiquita! When I kissed you, I found myself wanting to do anything you asked—"

Outside, some little distance away, a shot made flat sound. Rob Spinney stiffened, looking past her at the door. A second shot came, but no third.

He slipped past her and scooped up the derringer which Nicelle had put on the table. At the door he looked up the dusky street and when he saw men running he ran that way.

They were gathered before Nome Irwin's store and he pushed through the crowd to look down at a stocky, shabby vaquero who sprawled face down almost under the .38 hanging in Irwin's window. The Mexican had been shot in the back of the head and in the body.

"From over there!" a man grunted. "That's Juan Mora. Somebody shot him from across the street. Damn' good shooting!"

Spinney ran across the street, to where some old adobe houses stood as empty, usually roofless, shells. His Colt swung at his side, in his hand. Most of the men who had stood gaping at Mora's body were close behind him. There were footprints in the dust that overlay the sand, the prints of feet going into a house directly across from Nome Irwin's, of those same feet running out and onto the littered sand behind these houses. Within the shell was nothing. The killer had stood at a window of the street wall, fired his two shots, then run.

"We'll have to hunt for somebody who saw him," Spinney told his followers. "But it's getting pretty dark—"

They scattered and made inquiries at every house along this side of the street. Anglos and Mexicans alike shook their heads when Spinney questioned them. His helpers came back to report the same result. Spinney went across to the swelling crowd at Irwin's. Old Olin Pike shook his head grimly.

"This bushwhacking's got to be a damn' bad habit!" he said grimly. "Any line on the dry gulcher?"

Andy shook his head, looking at the Mexican boy who squatted beside Mora. Irwin the storekeeper nodded that way.

"Young Juan," he said. "He says they'd just come into town, hour or so back. His father was coming here to see me. He was down the street when he heard the shots."

Spinney saw Nicelle and asked him to look at the trail behind the old house. The breed nodded and trotted away. Spinney put his hand on young Mora's shoulder. The boy lifted a strained face to him.

"Can you think of one who would have killed him?" Spinney asked, in Spanish. "Did he have an enemy?"

The boy shook his head. Dark eyes

went from face to face of the staring men. He looked nervous. Spinney considered his manner, then called to Lew Miller: "See that Mora's taken to Doc's Kent's will you?" And ask Doc to look at the slugs, if he can. See how they look against the ones that went into Ogden. Now, Juan, I want to talk to you in the office..."

THE BOY came with him silently. When they were in the office, under the lamp Soto had lighted, he looked at Rob and whispered: "That pistol in the window—it was my father's! I think he must have been looking at it, wondering how it came to be there, when he was killed. You asked if he had enemies and I did not wish to speak there. But the only enemy he had in the world, senor, died before him. Dolf Benjamin! It was this: We had ridden on the Triangle for three years, my father and I, before Dolf Benjamin had it from the Words. Soon, Don Dolf told my father that he must steal 79 cattle. Aiiah! He was one of the worst, that Don Dolf! But my father was an honest man. He said that he would steal for nobody. So Don Dolf yelled at him that he would steal or die!"

Rob Spinney waited grimly, wondering.

"Don Dolf told my father that none could live in this country except if he willed it. He spoke of others who had died, with none charged with their death. He talked much, my father told me, for he was borracho—drunk. He boasted that he was King of the Fenway, a wolf scarred and gray and wise as no other was wise. He said that many wished him dead but none could kill him; that an enemy had brought to Fenway a killer famous from San Antonio to El Paso, to murder him. But this killer, even, knowing that he had much money, had come to him and offered to kill the enemy for a higher price. He said that if my father refused to steal 79 cattle, this killer would certainly kill him, also. And—" he choked "—now he has killed him!"

"Your father, then, killed Dolf Benjamin?"

"No! This talk was ten days ago. My father pretended to agree. But that night he and I left the Triangle. We went to the Buckle and the Rafter 8 and the Pigpen, looking for work. When we found none, my father said that he would go to his cousin in Old Mexico. First, we would come here and borrow money from Don Nome to buy Mexican horses for sale in Texas. We heard of Don Dolf's death only when we came here from the Pigpen. We were with the Pigpen riders at the time Don Dolf must have been killed."

"But this pistol of your father's, that hangs in Don Nome's window—bullets from that pistol killed Don Dolf!"

"But it was not in his hands. He traded it here in Fenway to someone for a .45 Colt. Who had the .38 I do not know. My father did not say. He was worried, then. He talked little."

"Don Dolf did not say enough of this killer to let your father know him? Or know the man who had hired him?"

"He tried to think, for it was of importance that he know. But there were so many names to consider! So many who hated Don Dolf, but feared to try openly the killing of that wolf. It was my father's thought to get a better pistol than the short .38, a .45 with long barrel that might do almost for a carbine. Then, if he saw Don Dolf on the range, he would have some chance to kill, before he was killed."

YOUNG QUINN, the deputy district attorney, came into the office and looked frowningly at the two. He shook his head when Rob asked if he wanted anything.

"I'll wait until you've finished with

him," he said. "Or does he speak English?"

"Not much," Spinney assured him. "This is the son of the cowboy just killed. If you're on something special—"

"We're going to have a sort of conference, tonight. Tibb and I will try to decide about Avery, whether to charge him, or not. I suppose you know that old Benjamin pretty well had the county in his pocket..."

"I heard something to that effect" Rob admitted dryly. "That Tibb and your boss, the district attorney, always listened to Benjamin and discovered what they believed. Now, I can see that there's some indications of Benjamin being mixed in the murder and robbery of Ilah Vester. Is that what's bothering you?"

"Tibb thinks that ought to be hushed. For it's his thought that Will Benjamin, and Mrs. Benjamin, and such henchmen of the old man as are left will still dominate the district. I believe that Dolf was the brains and the mainspring. My boss, with Judge McCune and Sheriff Wheeler and Olin Pike and Hale Jordan and—yourself, say, will swing the weight. So I'm not interested in keeping Dolf Benjamin's name free of suspicion. Tibb will be the man who works up the evidence on these murders, as county attorney. But I will try the cases, under my boss. We can go pretty much as we please, you know. And if my advice is taken, the prosecution is going to strongly imply that the murder of Ilah Vester had an accomplice in Dulf Benjamin, and that Dolf's murder came as the result of a thieves' quarrel!"

"Sounds like good politicking! You can handle questioning tonight and at the preliminary hearing or before the grand jury if your suspect waives the preliminary, so that Dolf's old-time side-partners will forget everything but the man's name. And you want me to play along with you, of course."

"I'm simply going to conduct myself as a district attorney should," Quinn Quinn said, grinning. "Dig for the facts, regardless of their implications! If you can help—"

"I'll probably think of something I want to know, and ask a question or two. You see, Quinn, I've got some stake in this business. If we don't clear up these murders, somebody is going to submit to the great common people that I oughtn't to be sheriffing, account I'm a tolerable suspect, myself! I came back here plenty willing and even more able to kill Dolf Benjamin. If my backtrail can't be checked so as to prove that I rode straight up to Buffalo and found Weiss dead. there's even a possiblity that I was mixed in the murder of Ilah Vester. And I have got no alibi for the time Al was shot. Al had me on his list; he told Wheeler as much."

Quinn's pale eyes winked rapidly but his handsome face stayed blank. Spinney laughed. "I wouldn't hurrah you! I know that you've been thinking of all this. You and Tibb, both. I don't expect friendliness from either one of you. No reason for you not to hang me if the chips fall that way. Well? We understand each other?"

"I'll be glad of your help," Quinn assured him.

WHEN QUINN had gone, Spinney gave Juan a dollar and told him to eat and to stay in town. He hesitated, then slapped the boy on the shoulder.

"As for the funeral of your father, do not think of the cost of that. I will myself pay for such a funeral as is proper for a brave man and an honest man! Trot!"

He went back to see Avery, who had already eaten a supper from the restaurant across the street. Cass, smoking sullenly on his cot, looked stonily at him.

"Found the man who killed Juan

Mora?" he demanded. "If Dolf Benjamin—the thieving old son!—was still alive, I'd swear that he did the job. Juan told me about Dolf ordering him to steal the 79 blind. The mistake I made was in not killing Dolf—right here in town."

"That would have saved a lot of trouble—for any heirs you may have if you're not hung. Dolf would have killed you, the same as he would have killed me six years back. when I was going to smoke him up and Wheeler saved my life. The difference between us is, I was hunting Dolf; you always managed to control yourself when you got in his neighborhood."

"Ah!" Cass snarled contemptuously. "Say! You ought to be able to see—even you—that Vester's killing and Dolf's are one and the same job. Dolf and somebody teamed to rob Ilah and kill him. Then they fell out, and Dolf was killed. Now, how can you or anybody else figure me partnering with Dolf?"

"I thought of that long ago—right at first. Kalem Weiss will think of it even if you don't remind him."

"He's hired out to Will Benjamin, to help hang me! Rode right out to the Dollar and practically tried and convicted me and Will and the old lady gave him a check to keep me from hiring him and getting clear!"

"Then I reckon we'll just have to clear you without Weiss! That is. if the jury believes your alibi-witness, covering the night you didn't sleep in Mrs. Oxton's nice, soft bed!"

"I'm not putting up any alibi for that night! If I didn't kill Vester or Dolf, what I was doing is my own business."

"Might as well call her in," Spinney drawled, and yawned. "Because Gail knows all about it, anyway. Well. you lose on this play no matter who murdered Dolf. For Gail and Dolores have had a wawa and you're now Mister Mud Avery!"

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FROM Nome Irwin's store, for use in the conference of which Quinn had spoken. Rob Spinney got the .38 which had been dead Juan Mora's. Then he went on to the Fenway Hotel and turned into the public dining room.

McCune, Olin Pike, Tibb, Hale Jordan and the stooping, silent Nicelle were at a table in the corner. As Spinney moved to join them Dr. Kent came down the hall behind him and took his arm. He was tired-looking but when he spoke it was energetically, even enthusiastically.

"Have I been busy! Rob, I'll take my oath the gun that was used on Ogden shot the bullets that killed Juan Mora. Forty-four caliber slugs in both cases, and the microscopic examination proves to me that they all came from the same barrel. And—this may not please you—I'll have to swear as strongly that the slugs aren't out of Cass Avery's gun."

"I wouldn't have thought that! Not with Cass' gun in your hands when Juan Mora was killed. Besides, I don't think Cass killed anybody. You needn't mention my saying that, but I don't see how he could have killed Vester or Benjamin."

"Speaking of Ilah—I was coming to him: Rob, I examined his body carefully and I found one of the slugs from the .38 in him. It does look as if he had been beaten to cover the bullet wound! What do you make of that?"

"Do'no', yet. But you can tell all about it after while. We're going to have a conference about charging Cass."

They crossed to the table and took

places. Tibb grinned in friendly fashion at them both. McCune asked the doctor about his "micro-slug-o-scopy" and Spinney gestured toward the window behind and to the left of the table.

"Our bushwhacker ought to be prowling around, out there. Two shots as neatly centered as those he put into Al Ogden and Juan Mora—bang! bang! He kills the two noble investigators who are readiest to give him serious throat trouble, Doc and me. He—"

He stood quickly and excused himself with a grunt. They stared as he crossed the dining room quickly and went out to find Mrs. Oxton. From that lady he borrowed the Mexican errand boy and gave him a quarter, with instructions to find young Juan Mora and tell him—for his life!—to get to the sheriff's office and stay with Soto until Spinney came there.

"Idiot!" Rob snarled at himself when the boy was gone. "Nitwit! It's not what he knows about where his father got the gun, where he left the .38, it's what that killer may think he knows, that may kill him. If anything happens to him—"

He went sourly back inside. McCune rolled a squinting eye his way. Spinney forced a creditable grin.

"Just happened to think that I left the needle sticking out of my fancy work!" he said. "That's dangerous!"

"And what are you crocheting? Or is it tatting?"

"Embroidery, Judge! Picture out of the Scriptures. You know the one about Haman and the high gallows? Well, I've got all the gallows embroidered in and a man standing on the trap. But Haman's face is not finished. You couldn't tell, by looking at my piece, what-for a person Haman's going to be..."

McCune moved his shoulders and shivered violently with a glance around at the window.

"And here I sit, a fine figure of a man projecting from the spinal column to both right and left, right where a slug has to pass to—keep you from filling in that face on the fancywork. That sort of thing tends to damp the festive spirit that should prevail at the banquet table. Thanks be! I've always been the spiritual type, needing hardly more food than a dicky bird—"

"What size dicky bird?" Olin Pike grunted. "The only difference between your kind of dicky and an ostrich, Hard Luck, is the ostrich gets scared and rams his head into the sand and you just ram your head into a yard of beefsteak!"

TIBB WAS watching the doctor.

"But," he broke in, "even if it's as you say, Doc, even if the .38 is now tied to Ilah Vester's death as well as Dolf's; even if the bullets that struck Al Ogden and Juan Mora could not have come from Avery's pistol, that fails to clear Cass in any degree, as it fails to make any connection between Dolf and Ilah except that Ilah may well have paid Dolf—"

"Ilah never paid Dolf a thing!" Pike said flatly. "Ilah wasn't one to spout around, but he wouldn't even speak to Dolf. Dolf skinned Ilah on a deal nearly a year back. Only thing Dolf was apt to collect from Ilah was some lead—and well he knew it!"

"But still, there's nothing to indicate that Dolf got the money from Ilah in any dishonest way. And Avery's not clear! I can make a strong case against Cass! Nicelle, you know what you're to testify to? About the trail of the half-shoes and finding those shoes—"

"I know what I seen," the tracker said evenly. "But I ain't going to stretch a thing, Mr. Tibb. Young, here, he knows as much about the trail outside town as I know. I'll tell what I found—trail, shoes under the hay, and all. But you'll have to make a jury

believe it was Avery that did the shoeing and unshoeing. It's nothing to me if he hangs or don't hang. All I say is, I won't help hang him by a stretch."

"That's the way the county'll feel about it," Pike told Tibb. "We don't want a job done on Avery, nor anybody else. You don't like Avery, either, Rob?"

"I saved a fist for Cass' nose over six years," Spinney drawled, where he had been eating quietly. "It's been handed to him—three times, you might say. Cass's nothing to me one way or another. If he bothers me, I'll throw him over the court house or he'll throw me. I feel like Nicelle about his hanging."

"You have important evidence to give?" Tibb asked him.

"Do'no'. Testimony, maybe, more than evidence. Another loose end whipped up. That .38 was Juan Mora's old gun, the Mora boy tells me. But he traded it, here in town, to somebody, for the .45 Mora was packing when he got killed. Did you look at that .45, Doc?"

"There was no gun on him when Lew Miller and the boys brought him to me!" Dr. Kent said quickly, frowning. "Probably, Miller has got it. He had a knife, that was all. And a holster under his arm, empty."

"You don't know to whom he traded the .38?" McCune grunted.

"Young Juan says his father didn't say."

"Maybe he's skittish about talking," Hale Jordan suggested. "Better give him a good going-over, Tibb."

"I will," the county attorney promised grimly. "And that .45—that may be identifiable. See about locating it, Spinney."

Rob nodded, getting up. Hale Jordan and Nicelle rose. The tracker stopped to look at Tibb.

"I'll be over for the wawa," he said. "But don't expect too much. Not out of me. Spinney and Lew Miller, between 'em, know as much as I do."

On the street the three separated, Spinney to cross and go down to the office, Jordan and Nicelle to head toward Razo's corral. Miller, with Juan Mora and Soto, were in the office when Spinney came in.

"You stick right here," Rob told the boy grimly. "Better sleep here. I've had enough shooting in my bailiwick for one night. Lew, did you take Mora's gun off him?"

"His gun? Why, he never had one on. Just the holster. I looked to see, before we picked him up."

"He wore it, when he left me!" young Juan cried. "He walked straight to the store, I am sure. Someone, then, took the .45 from beneath his shirt, after he was killed!"

"Well, I can't see that it's anybody's fault," Spinney told the worried Lew. "I had to chase after the killer. You didn't get there until after the gun was taken. Well! Right there on the ground was the man who'd killed him; right there beside us. All we need to do is pick him out of the thirty or forty gathered around. Tibb will raise hell. But it's something we could hardly help. Hang around, Lew. We're going to have a conference here after while."

HE SLOUCHED in a corner behind the table. Miller and Soto talked to him for a while but he blocked his face from them with a sheaf of the reward notices Al Ogden had arranged alphabetically and they confined their gossip to themselves. He thought of Gail Wheeler, as she had stood here, smiling up at him, lifting her willing mouth to his.

"Lovely, lovely, lovely!" he whispered to himself. "And if she was twisting me, the way a pretty girl learns to twist every man, to get me to help her, she's really done with Avery. I do believe that much of all she said. Cass—

he's not going to be so big around this country. No matter how the jury looks at Dolores Starr, Tibb can't hang him. He'll try. Maybe Quinn will try. With Kalem Weiss at his elbow, special prosecutor, the district attorney's office will certainly try."

He went on shuffling the dodgers on the table, hearing the low, lazy talk of Miller and young Juan and Soto only as a distant noise that slipped past him without getting into his thoughts.

"No matter what happens, during all the hullabaloo, Cass is not going to be the big, shiny prize of the Ladies' Stake Race that he used to was, before I stuck my pin into him and let out some wind. He'll have to leave the country or build up again or—just live here in his natural small size."

He pictured the whole Fenway country from the Fenway Hills away south to the peaks below the Buckle and the Rafter 8, from the rugged edge of Wagon Wheel Mesa far east of Lost Man Creek to the greasewood flats west of the Triangle. It was a land to remember, one to draw a native back. And he was back!

"If I could get my two hands on the Triangle!" he told himself. "If only I could get the Triangle for a new Young brand, I would— Even she had to look up to me, when she kissed me... Andy, you damn fool— But she did look up..."

Tibb and Quinn came in. McCune and Olin Pike were just behind. Miller and Soto gave up their chairs, got boxes out of a jail cell and ranged them along the office wall. Nicelle loafed in and hunkered near the door, hat back on long, dark hair, dark eyes sleepy. Dr. Kent and Hale Jordan filed through the door and took seats—Jordan on a box at Nicelle's elbow, the doctor accepting Rob's chair. Spinney perched himself on the table, to look around at them all and do legerdemain with the shining derringer as he waited.

"THIS IS not formal," Tibb told them briskly. "You might call it sort of community meeting. Enough of the important men and the elected officers of the county are here to give us a good cross-section of Fenway. We are interested in convicting a murderer or some murderers. Nothing more and —nothing less! Just now, Cass Avery is under arrest, suspected of at least one murder of three committed. But his arrest does not clear various other suspected persons or—possible murderers—"

"No difference what you call us," Rob Spinney assured him pleasantly. "We have got Mr. Shakespeare's word for that."

"The point I'm making is this: If we go over the circumstances as we know them, tonight, the evidence in our hands, we can among us determine whether Avery is to be formally charged with the murder of Dolf Benjamin, and possibly of Ilah Vester. Discussion tonight may show us that we shouldn't charge him, may even point in some other direction!"

He unrolled a sheaf of pages. Spinney looked at them, put down his derringer and made a cigaret. McCune reached over to take the .41 and look at it. Spinney shuffled his pile of reward notices while Tibb began to read from his sheets what Mrs. Oxton and her maid would testify of Cass's absence from his room; what various men knew of Dolf Benjamin's presence in the *Grotto,* his disappearance for a time, his return for a final drink; what Nome Irwin could tell of Benjamin riding out alone; finally, the statements about Cass throwing the shiny .38 from his window.

Dr. Kent spoke with enthusiasm of his hobby, the identification of certain bullets and certain shells as having been fired by particular guns; of the methods he had devised for making clear to anyone the things his microcopes showed him.

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WHEN THE little doctor had summarized his findings, on the guns, bullets and shells connected with the three murders and the attempted murder of Al Ogden, Quinn spoke for the first time: "How do you explain the beating and shooting of Vester?"

"I don't!" the doctor answered promptly. "It's for you officers to make deductions from my report."

Rob Spinney was turning over the .38 in his hands, now. He looked up. "That bullet in Vester's head just about proves that the man who killed Vester killed Dolf—but didn't want it believed that the two killings were connected that way. If Doc hadn't found that slug, it might well have been thought that Dolf murdered and robbed Ilah, then gone on out of town to be murdered and robbed by somebody bigger and badder."

"Well, I never have seen the slightest reason to believe that Benjamin was connected with Vester's death!" Tibb said quickly, looking at Quinn. "He was a hard man, but—"

"You were a lonely man, then," Spinney drawled. "Even finding the slug only changes the picture a little bit. It can still be thought that Dolf was in on the killing, only with a helper instead of alone. Like this: Dolf and somebody kill and rob Vester. That somebody sweetly means to rub out his partner. He wants to have it look as if Dolf killed Vester. So he hammers Vester to cover the .38 slug. Simple, again!"

He fished his stock knife from a pocket and opened the screwdriver blade while Tibb talked to Olin Pike and Hale Jordan about the money Vester had got from the bank. He took the short .38 apart, looking occasionally from man to man. Nicelle and Lew Miller told of finding the horseshoes under the hay, in the stall that Cass Avery had rented at Razo's stable.

"It does seem to me, now that I've listened to this discussion among my betters," McCune said drawlingly from behind his screen of smoke, "that we've got enough for charging Cass with the murder of Dolf Benjamin. But it seems just as plain that if Cass introduces any li'l' bitsy two-by-four, six-for-a-nickel alibi, to cover the night he cast upon the worthy Mrs. Oxton's hostelry the insult of neglecting it, he will establish in a jury's mind the famous reasonable doubt. Wait!"

Tibb and Quinn had leaned forward.

"I don't say that I could clear him if I were the defense attorney. I merely call your attention to the point. Another point of even more importance is the certainty that, loose in our midst, is a person with vital interest in the murders. It might even be argued that a man so interested that he goes about shooting this figure and that figure of the crimes could conceivably be the sole perpetrator of those crimes! If I were defense attorney I certainly would dwell lovingly on that!"

"I don't reckon a compliment from me can mean a lot in your life, Judge." Rob Spinney said apologetically. "But I just have to pass it over, anyway. For you've cut right through to the truth of this whole business."

"Out of the mouths of babes and—" Tibb said softly.

"Momentito! One small moment, Tibb. I've got the floor. All through this country, all sorts of men hated Dolf Benjamin. Well he knew it! He kept killers around him and he rode hawk-eyed. So unless a man would meet him face to face, that man had little chance of a shot at Dolf Cass hated him—and was afraid of him. Olin Pike hated him—and wasn't

afraid of him. Wheeler hated him—and wasn't afraid. I hated him! For more than six years I think his ugly face wasn't out of my mind and not a day passed that I didn't do something to make it sure that when I came back here and slapped leather with him I'd kill him!"

He drew a long breath and relaxed, pushing the parts of the .38 around the table with small, strong hands.

"One man hated Dolf, but it wasn't good judgment for him to show it. Folks hardly thought of him as the most deadly enemy Dolf had. For he didn't make war-talk. No! He hired a good gun to come in and rub out Dolf. To get close to Dolf, this killer went to him with the tale—and offered to sell out to him: offered to kill the man who'd brought him in! Dolf tried to force honest Juan Mora to steal 79 stock. When Mora wouldn't, Dolf threatened him with this killer. Mora ran for his life."

He looked at McCune, who sat with chair leaning back, gray hatrim over narrowed dark eyes, cigar rolling under gray mustache. McCune juggled the little derringer in a palm.

"Ilah Vester got five thousand dollars from the bank. The man who was having Dolf killed, knew about that money. Dolf Benjamin was in town. So it was rigged that this man and his killer would kill and rob Ilah for that five thousand. Then the killer with a set of half-shoes on his horse would ride out with Dolf, kill him with the same .38 that had killed Ilah and leave a couple of the new bills on Dolf's shirt."

He looked from face to staring face and shrugged.

"Down in an arroyo, after Dolf's killing, the killer yanked the half-shoes from his horse. He came on in to Razo's and pulled the shoes off Cass Avery's horse, Blaze, and rammed 'em with the half-shoes under the hay. His own barefooted horse wouldn't be suspected. Or so he thought...

"Well, well! I don't want to keep you gentlemen long out of your beds. That's what happened. Al Ogden is a good man. This killer complimented him by believing that. It seemed to him that Ogden was entertaining notions, so he shot Al through the window. And he wondered if Ogden had told me too much. So he tried to rub me out. Then Juan Mora bobbed up—Juan, who was supposed to be clear out of the neighborhood. And Juan was staring at his old gun, this .38. All he had to do was tell how he'd traded that gun to—the killer. So Juan died. And young Juan would have died, too, but I got him in here!"

"How much of this can you prove, Rob?" McCune drawled.

ROB SPINNEY grinned without humor. His eyes were dark and bright as they shuttled from man to man. He moved one of the dodgers.

"Orm Stett, alias Mingo Nicelle—" he grunted.

Nicelle, squatting beside the door, came snakily to his feet. He had a Colt drawn. His left hand twisted the door knob as he began to level his pistol flashingly.

Hale Jordan fell sideways from his box, away from the gunman. In the office three shots sounded like one ragged detonation before Nicelle let go his hammer. Spinney had fired with the second derringer of his matched pair, palmed three minutes before. McCune had fired the other .41. Jordan had driven a slug from his pistol upward as he fell sidelong.

Nicelle slid down the wall and sprawled, two bullets in his body, one in his head. Jordan got clumsily up, wiping his forehead with the hand that still gripped his Colt. His peering blue eyes blinked.

"That was a close one!" he gasped.

"Close enough," Spinney nodded, looking down at the snag in his jacket, just over the heart. "He should have

shot before he got up. But he only saw McCune's derringer out—"

They gathered around Nicelle. Spinney leaned to twist the key in the outer door, for men were yelling on the street.

"Here's an old dodger on Nicelle—"He was a newcomer, fairly. He was a salty-looking customer. When I heard about a killer being imported I had to think of him. And he worked around the livery stable where he would know about Avery's horse. He talked to me about working on guns, easing triggers. I looked at this .38 and you can see new filing on the parts. Then there was that torn bill you found in Dolf's shirt. It just didn't seem right, to me. Money paper is tough. A snatch at a sheaf would just have snapped the paper band, I thought, not torn a whole new bill across. It looked like a stall."

"And—who hired Nicelle—Stett?" young Quinn asked. He was white, but steady of voice.

"A man who hasn't had credit in this country for his cold nerve and good head. Drop that gun, Jordan! I can drive nails around a corner with any kind of iron!"

"But you can't make me drop the gun," Hale Jordan said calmly, still standing with folded arms, holding his Colt. "I was right, Spinney; I told Stett that getting you was more important than getting anybody else. It was a bad day for me when you rode back into the country. You called the play—every last move in it. And I do believe nobody else could have. The money is on me—in a belt. And me—well, Doc knows what kind of heart I got. So you're not shorting me a lot—"

The Colt made a muffled roar, shielded by his left arm. He let his long arms fall and Dr. Kent caught him and eased him to the floor. Andy stared, then looked at McCune.

"All right to let Cass out? We never have actually charged him, you know —"

Getting the judge's nod, he called the gaping Lew Miller. "You unlock Cass. He'll about murder me if I don't let him know what happened!"

HE GOT OUT of the jail by a door opened for him by old Soto and moved quickly through the November darkness to the sheriff's house, avoiding light and men. Windows made yellow squares in the front of the big house. He came up the walk and, as if his light steps had been heard, the door opened. Gail was silhouetted there, then she came out.

"Something's happened! I can tell it. I was at the window and I saw you hurrying—"

"We cleared up the murders. Hale Jordan and that breed hostler, Nicelle, who was really a breed and the worst killer-for-hire in Texas, but not a Nicelle. Nicelle—Orm Stett—did a gunplay and was killed. Hale committed suicide after confessing. And—" he drew a long breath "—I hurried to tell you because this has cleared Cass, and I wanted to warn you not to mention Dolores Starr. You see, Gail, nobody in the country really knows about Dolores, now. Avery's white as a lamb; you aren't going to be laughed at. You can forget about it, now, and marry him—quick, before he gets another prowling spell—"

She slapped him hard in the face—and caught him around the neck with both arms. "Idiot! Liar! You didn't come to tell me anything of the kind. You came to tell me that you were in love with me and that you knew I love you—Robin! Let's buy the Triangle! Dad says it will certainly be for sale. He'll lend you—"

"He won't lend me a thing. I made a lot and saved it. But he can give me his pet blonde mule! Now, maybe I did come to tell you all that foolishness you mentioned. But I came to tell him some things, too. So—in a minute—or maybe five or ten minutes—we had better go in and—tell him..."

A HANDFUL OF COLTS

by WARNER AUSTIN

Suddenly, Les Howard found his cabin full of visitors – all of whom claimed to be the new sheriff, except for one man who was supposed to be a prisoner!

"WELL, VISITORS of any sort are plumb welcome in this humanity-forsaken locality. But them fellers is certain linked by bonds stronger'n friendship!" observed Howard. Squinting in the slanting rays of the late afternoon sun that rested on the front of his cabin, he stared down the trail intently. Howard was a stubby, plump man, well on in years, and with his smooth, pink and almost unwrinkled face he appeared mild and placid. But a glance at his keen gray eyes showed he was nobody's fool.

From his lookout position in the doorway of his pine log prospector's cabin high up on the side of Bald Eagle Mountain, Howard had a good view of the country below him. For some minutes he had been watching two men that were mounting the spruce grown slopes toward the cabin. Men of any sort were rare enough to excite interest in that mountainous region, and the fact that the approaching two were handcuffed together made their appearance more unusual still. For a moment, as the pair neared the clearing, they paused and talked together as if ending some final bit of conversation. Then they came boldly on toward the cabin.

"Hello, oldtimer," the larger of the men began as they neared the door. "We were just looking for a place to spend the night. Thought you might be able to put us up. Peterson's my name. I'm the new sheriff of Rock Creek County and I'm takin' this fellow down to jail."

The speaker was a big, well-set-up man with an air of authority; and as Howard hesitated his square-jawed face hardened truculently. "Say, you don't think I'm lyin', do you? I guess we are pretty hard looking customers, though," he admitted, feeling of his rough, unshaven face, and glancing at the lean, sharp-eyed man beside him.

"Oh, that's all right. I ain't doubtin' you; and of course you can stay. Glad to have company, in fact," Howard said, assured by the other's manner. "Why, you're the first human critters I've seen in this locality for goin' on six weeks."

"That's good—I mean it's good you can put us up," the sheriff replied; and together the pair entered the two room cabin.

For a moment Howard paused in slight puzzlement; the etiquette toward a sheriff and his prisoner being strange to him. Then he crossed to a corner and dragged out a bench wide enough for two to sit on. "Have a seat," he suggested. "I was just on the point of startin' myself somethin' to eat when I saw you comin' and stopped to look. Now I'll make it enough for three.... I guess you're pretty hungry after your long hike, ain't you?" he added, hoping the sheriff would explain where they were from. But he was disappointed.

"You bet we are," Peterson said, ignoring any reference to their travels. "And say, you don't happen to have a file about, do you?" he added as Les turned toward the kitchen. "There's a rough spot on these handcuffs that's been cutting my wrist," the sheriff explained as he noted Howard's stare of surprise.

"I've got one around here somewhere; I'll look it up," Howard offered obligingly. Lighting the cabin's single oil lamp he went out in the kitchen to the shelf where he usually kept the file. But it was not there, and after some minutes he gave up the search. "That file don't seem to be in sight. I suppose it's in some crack 'tween the logs where I laid it and forgot it. But I'll get it in the mornin' before you leave," Howard told the sheriff.

"Never mind; it don't matter. And anyhow maybe you can find it after supper," Barro said, with an ill-concealed show of irritation.

TURNING back into the kitchen, Les Howard placed the lamp on the table and proceeded to start supper on his rusty little cast iron cook stove.

No more was said between him and the men until he called them into eat; and even then he found the two strangely preoccupied and silent. The prisoner talked none at all, and what few remarks the sheriff made were in the form of questions concerning the locality and the nearness of other prospectors.

With supper over, Howard built up a fire in the fireplace in the main room of the cabin; and getting out a new package of smoking tobacco, he invited the two to make themselves at home. But even this added hospitality failed to rouse the pair from their moodiness; and Les finally gave up the effort to make talk. "I'll go out in the kitchen and look for that file some more," he offered.

"Good, I hope you find it," the sheriff said. "You see, I'll have to sleep locked to this fellow. He's too slippery to take any chances with, and I'd like to smooth that rough spot before we turn in, if I can."

Returning to the kitchen once more Howard began to search for the file. And as he looked he thought. The sheriff's eagerness for the file somehow vaguely disturbed him. Then, too, although he couldn't exactly place it, there seemed to be something lacking in Peterson's general appearance, for a sheriff. He was dressed in a well-made if somewhat worn and rumpled suit; and his hat and boots were in keeping with Howard's idea of how a sheriff's hat and boots should look. His air of authority was convincing; and there was no doubt about his having the prisoner handcuffed to him. And the fact that he displayed no star proved nothing, as it would be natural to wear it concealed when on a man-hunt.

"Anyhow I'm goin' to sleep with

my old sixgun under my head tonight," Howard said to himself as he found the file and started toward the door. On the instant he paused, his eyes narrowing. The word sixgun had brought suddenly home to him the missing feature of the sheriff's make-up. He wore no gun!

Immediately on realizing this lack, Howard backed quietly away from the connecting door and quickly rehid the file in the crevice he had taken it from. "Somehow I don't seem able to locate that file," Howard said as he went into the other room and noticed the faces of both men turn inquiringly toward him.

"Hell, it looks like you'd put things where you can find them!" the sheriff began wrathfully. Then quickly checking himself he changed his tone. "Don't mind my snappishness," he apologized. "I guess it's just that I'm plumb tired out from walkin' and havin' to keep my eye on this fellow all the time. I guess we'd better turn in. Got to get an early start for town in the mornin', and we'll need all the sleep we can get.

"Just give us a couple of blankets and we'll sleep here on the floor," the sheriff added with a glance at the two narrow bunks, built one over the other against the wall.

HOWARD complied with the request; then went into the kitchen and blew out the lamp. Returning to his bunk he pulled off his boots and prepared to turn in, himself. But just before he lay down and while the eyes of the two men were turned in his direction he drew his big old-style Colt .45 from its hiding place under the spruce bough mattress and examined it in the glow from the fireplace. Opening the ammunition gate of the revolver he held the hammer partly back and spun the cylinder to assure himself that all chambers were loaded. Then shoving it under the folded blanket he used for a pillow he lay down—but not to sleep.

"That'll fetch them if there's anything crooked about the two," he thought. With a fine show of preparing for sleep he turned his face to the wall and pulled the blanket close under his ear.

How long he lay there wakeful and alert he did not know; but he guessed that hours had passed. Then just as he was beginning to feel he had done the sheriff an injustice by suspecting him, a faint sound caught Les Howard's attention.

There was no moonlight, and a noiseless turn of his head showed that the embers in the fireplace had ceased to give off any glow. Everything was quiet, and not a ray of light penetrated the black darkness of the room. But Howard knew he'd heard something.

QUIETLY slipping the heavy sixgun from under his head he held it ready for use, either as a gun or club. Seconds that seemed like minutes passed; and the noise was repeated. A shuffle, so faint as to be almost indistinguishable, sounded from the direction of the sheriff and his prisoner. Slowly inch by inch the sound moved across the floor toward the bunk. A hand began to feel cautiously under the folded blanket where Howard had placed the revolver. Then—

"Get back from this bunk—and stick up your hands!" Howard barked.

A startled oath rang out, and a blindly jabbing fist caught Howard squarely on the point of the nose! Scorning to shoot an unarmed man Howard swung the gun swiftly—and a sudden jar and grunt told he had connected. Quickly following up his advantage he tried to scramble out, but found his legs temporarily held by the blankets that covered him. Overlooking the nearness of the bunk above, he rose and bumped his head severely. Then groping hands closed

on him and he was jerked bodily to the floor.

In the fall the revolver slipped from his grasp and clattered away in the darkness; but Howard made no effort to locate it. In a fighting fury from the blow on his nose and the bump on his head he tore himself away from the man that held him. With his clenched fist he lashed out—missed—and the force of his swing staggered him against one of the pair. The man swung in return a blow that Howard sensed would have knocked him out had it landed. Trying to back away, he got his feet tangled in the blankets on the floor that the men had lain on. For a moment he struggled furiously, clutching at the empty air; and as his opponent bumped into him he went down in a heap, dragging him with him.

The falling man in turn pulled down the one he was manacled to. Instantly, Howard found himself in a melee of thrashing arms, kicking legs, and heaving bodies. But for the time he made no effort to extricate himself. In a sort of savage joy he jabbed right and left in jolting short-arm punches, hammering and being hammered until winded and gasping.

Then in a momentary breathing space on the part of the two, he fought himself free and rolled suddenly to one side. His body struck some hard object on the floor as he did so. Feeling for whatever it was, Howard's right hand closed on the sixgun. With his fingers wrapped tightly around its smooth hard stock he got to his feet and backed rapidly in the direction he knew the kitchen door to be. "Now calm down a little, gents! I've got this old peacemaker in my hand again, and if you start anything else I'm goin' to let fly," he advised grimly. Yanking the hammer back till it notched he pressed the trigger. A red tongue of flame lashed out and a roar like thunder shook the room. "That one was at the roof just to show you I've got it. But the next one won't be!" he warned as the noise of the shot died away.

FOR A MOMENT there was what sounded like hurried whispering. Then the sheriff's voice broke the silence. "Why say, oldtimer, you've got me wrong. You don't think I was in on this, do you? It was this blame feller here doin' all the scrapping'. Layin' nearest your bunk he must've eased over far enough to try and get your gun. I've been tryin' all the time to lick him into bein' peaceful," the sheriff said. "You ain't hurt, are you?" he added sympathetically.

For a space Les Howard held an amazed silence considering this new angle of the thing. Had it really been the sheriff's prisoner and was Peterson trying to stop the other? Or had it been both of them against him? Howard had his own opinion of the matter. But he did not want to do the sheriff an injustice, and what the other said did sound reasonable. "Well, all I got to say is that he certainly is one wildcat when he gets started!" Howard snapped, feeling tenderly of his throbbing nose.

Going out into the kitchen he laid the gun on the table in easy reach and lit the lamp. Pouring a dipper of water in the wash pan he held handfuls of water to his nose to stop the trickle of red that had been started by the blow. In the room he had just left he heard something that sounded like the creak of the front door hinge and stopped, listening tensely. Then as the sound of voices came to his ears from the other room he went on again with his washing.

"I wouldn't care much if they did go," Les thought as he shoved the pistol handily into the top of his trousers and turned to the towel that hung nearby. "Blamed if I know what to make of them. If that big feller Peterson is a sheriff then why ain't he got a gun? I'd have asked him if I hadn't been afraid he'd want to borrow mine.

As it stands I'm not certain enough they're crooks to throw a gun on them and take them all the thirty-two miles to town. On the other hand I'm not certain enough they ain't to go to sleep and trust them.

"It may be as the sheriff says." Howard went on to himself. "That little weazened prisoner feller may have been the one that tried to get my gun. And when I called on them to throw up their hands it may have been him that was doin' all the scrappin'. Wish to gosh I knew. Anyway I got in a good crack on the head of one—say, that will show the truth! Whichever of them was reachin' under that blanket is the one I hit with the flat of my old sixgun. If Peterson has the mark I'll know he was the one tryin' to get my gun, no matter what he says! I'll soon find out."

Picking up the lamp and with his gun in easy reach in the top of his trousers he went toward the door. "Say, Sheriff, don't you want to bring that feller in here and let him slosh some cold water on the spot where I whacked him with my gun?" Les asked innocently. "It must be a right smart of a skinned place on his head and—" As his gaze swept the room, the words died suddenly away in Howard's throat.

No longer handcuffed together, but standing some feet apart and regarding him malevolently, he saw the two men. Nor was this all. For nearby, directly beside the connecting door where he had evidently been waiting for Howard to appear, was a third man. Like Peterson, the newcomer was large and capable appearing. A silvery star decorated the pocket flap of his woolen shirt. Around his waist he wore a heavy leather gunbelt, and from the ammunition loops along the belt's side the brassy ends of many cartridges gleamed in the yellow glow of the lamp light. Then in still greater surprise and alarm Howard noted that in his right hand the stranger held a big blued steel revolver.

"Hand over that gun you got there, old man, and don't try any funny stuff doin' it!" the stranger snapped as their eyes met.

There was a menacing ring in the other's voice which told Howard the speaker meant business; hastily pulling the gun from his trouser top he handed it over. "What's the idea of takin' my gun, and lettin' these fellers loose? Who are you?" Howard asked, dazed by the swiftness of the turn of events.

The newcomer laughed, an unpleasant bark of a laugh. "Me—who am I? Addeo is my name, and I'm sheriff of Rock Creek County," he said impressively. "I'd arrested these two crooks and had started back to town with them. But a pal of theirs, that I'd failed to get, followed us and jumped me from behind; and they got away in the excitement."

The explanation sounded reasonable; but still Howard wasn't satisfied. "That may be true. But what's the idea of unhandcuffin' the two of them; and takin' my gun?" he asked suspiciously.

"Say, you're too damn nosey," Addeo snapped. "I'm sheriff, ain't I? I took your gun because you was aidin' and harborin' these escaped crooks." he said after a short pause. "Now that's all you need to know; and I'm hungry. Get back there in that kitchen. and cook up a batch of something to eat and do it quick!" Jerking Howard roughly around with his free hand the new sheriff prodded him in the small of his back with the gun muzzle and delivered a well-aimed kick at the same time. "Git!" he advised.

BOILING with wrath Howard set the lamp on the kitchen table and started across to the stove to build a fire. Then as a guffaw of laughter reached his ears from the adjoining room he stopped, his gray eyes mere pin points of fury. "It ain't right, and I ain't goin' to stand for it!" he grunt-

ed decisively. Turning from the stove he crossed to the corner near the back door and picked up a double barrel shotgun, kept for small game hunting. Coming in the back way from a recent hung he'd left the gun there; and he was glad now that he had.

The glow from the other room showed that the men had replenished the fire in the fireplace. Knowing this would give enough light for his purpose Tidwell blew out the lamp and moved quickly toward the connecting door. "Say, Sheriff, do you want coffee too?" he began. Then as he noted that Addeo had shoved his revolver back in its holster and that the one taken from him was lying on the bench changed his words and tone. "Stick them up—all of you!" he roared.

"Now Mister ex-Sheriff, take that gun of mine off the bench right careful and skid it along the floor toward me," Howard said after three pairs of hands had reached toward the ceiling. "Shut up, and slide yours over here too!" he added as Addeo began to bluster some threat. "Now listen t' me," Howard went on when the second pistol had slid across the floor and stopped within a few inches of his toes. "The three of you get out of here and leg it to somewhere else."

Glaring surlily at Howard's determined face and ready shotgun, the three turned toward the door. Then, with an oath, Addeo stopped and drew suddenly back as if at sight of a ghost. Gazing past him Howard saw that the door was partly open and in the outer darkness a man's face was staring into the cabin!

"Hey—stop—don't shoot. I'm not a ghost or anything," a voice spoke. With both hands raised above his head the man entered the room.

In spite of the gravity of the situation Les Howard could hardly repress a grin as his gaze rested on the man. He was hatless and unarmed and his clothes were torn and dirt caked. But it was his face that held Howard's attention, as well it might. It was bruised and skinned to a painful degree.

Remembering the lump on his own head and his tender nose, Les Howard felt a sort of kinship with this battered and disheveled newcomer. But there was no hint of it as in a sarcastic tone he asked, "Well—to what do we owe the pleasure of this here visit?"

"Several things," the other said slowly. "You wasn't figuring on turning these fellers out, were you? It wouldn't do a-tall."

"Oh, it wouldn't, huh? Not after they've eat my grub and punched me in the nose and kicked me in the pants?" Les howled. "Who are you to butt in on this anyhow?"

For a space the stranger hesitated; and it seemed to Howard that a red flush of embarrassment crept over his battered features. "I don't suppose I look much like it, being all skinned up like I am and not having a gun or anything," he began. "But I'm sheriff of Rock Creek County and—"

"W-h-a-t?" Howard bellowed, leveling the gun in apprehension. "Mister, them's gettin' to be fightin' words in this cabin!" he warned grimly after he had recovered from his surprise. "This big feller over here come in about sundown hand-cuffed to that little one; and said he was sheriff. I fed them and bedded them down before the fire—and got banged on the nose for my trouble. Later this man Addeo come in with a gun and key to the handcuffs, claimin' to be sheriff. He let the pair of them loose and took my gun and kicked me. Then you appeared!"

"Well, if that's the case I don't blame you much for being careful" the bruised faced man said with a laugh. "Still, you can't let these crooks go. They're wanted for beating up a placer miner and stealing his poke over in the Aspen Creek Fork country. I took their trail and caught the two that were handcuffed but this other one got away. He trailed me, grabbed

me from behind, so his pals could get away, and gave me a good thumping. Took my gun and badge and handcuff key and followed his pals so's to let them loose.

"I built up a fire and was waiting for daylight when I heard a pistol shot and headed toward it."

"Huh, don't you believe him," the man who called himself Peterson interrupted. "He's lyin'. I'll have to admit I'm not sheriff. Me and this fellow are prisoners all right. But the fellow that had the gun and handcuffs is the sheriff as you'd oughta know. Only reason he let us loose was 'cause the handcuffs was hurtin' my wrist, like I told you about when I first come in. Ain't that the truth, Sheriff?" Peterson asked the other.

"You're damn right it is!" Addeo began.

"Now what in blazes is a body to do in a case like this?" Les thought to himself. Beyond doubt three of the men were crooks and the fourth a sheriff. But twice already he had been fooled. Maybe Addeo *was* sheriff. If so, it would never do to turn him over to this latest arrival along with the other two. It was a ticklish situation and Howard stood lost in thought. Then, with sudden inspiration, an idea came to him.

"Well, gents, this thing is just naturally too doggone puzzlin' to me," he said slowly. "There ain't but four of you; and up to now three have claimed to be sheriff. So as you might see, it puts me in a bad position. I'm willin' to help the real sheriff but I don't want to lay myself liable to law by aidin' no criminals. What I'm goin' to do is to handcuff two of you together with them bracelets, and tie the hands of the other two and march all of you to town! How's that for fairness?"

FOR A moment there was a complete and amazed silence in the room. Then all but the last arrival broke out in oaths of alarm and protest.

"How about you?" Howard asked, nodding toward the man who stood by the door.

"Good enough! I've chased these polecats all over hell and back. Bad as I'd hate to go into town like that, I'd hate still worse to let them get away," the battered newcomer replied.

For the first time since sundown Les Howard grinned. "That'll do, Sheriff," he exclaimed warmly. "The growls and cusses from these three had already told me what I wanted to know. But I'm glad you spoke up. A man that's willin' to be marched back to town without his badge or gun rather than let his prisoners get away is bound to be sheriff!"

★

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Special Feature

THE GUN WHICH KILLED JESSE JAMES

by CARL BREIHAN

THE GUNS claimed to have been used by Jesse James are as numerous as the beds in which George Washington slept, yet only recently the question has been raised as to which gun killed the famous Missouri outlaw.

Certainly this gun should rank as an important historic firearm, even as does the Deringer John Wilkes Booth used to assassinate President Lincoln. That weapon is priceless, as is the revolver Jesse placed on the bed the day he was murdered. Oddly enough, two men claim the distinction of owning the James death gun. For a number of years, Andy Palmer, owner of the "Military Inn" at Dearborn, Michigan, claimed sole ownership, possibly his claim being unknown to the owner of the real weapon. This gun is the generally accepted Colts.

The other claimant is Henry G. Lingenfelder of Baltimore, but his revolver is a Smith & Wesson. Naturally a full claim to the weapon which Bob Ford actually used, and which could be satisfactorily verified, would greatly increase the value of the piece.

In Dearborn, in the vast collection of Andy Palmer, today rests a Colt's .45 Calibre revolver—serial #23960, a Peacemaker—with a 7" barrel and 19 notches cut into the ivory grips. Palmer claims that this is the gun which killed Jesse James. Palmer bought this gun from the widow of one Dr. Cornelius, a Detroit resident. Accompanying it was an affidavit of an Edward G. W. Smyth, who stated that, in 1899, he personally saw this gun presented to Dr. Cornelius by Frank James on the stage at the Standard Theatre in St. Louis. Frank stated, says Cornelius, that this was the identical gun which killed his brother, Jesse James. Later, Dr. Cornelius averred that he became acquainted with Frank James after Frank had served time in prison. But Frank James *never* served a day in prison!

The James family advised me that they had no knowledge of Jesse notching his guns. It might be noted at this point that the notches were on the left side of the grips, indicating that the person placing them there was left-handed; Jesse was right-handed. Also, there is no record of his having killed that many men after the Civil War; and he certainly could not have used this Model 1873 Colt's during that war. To pinpoint that statement: Jesse James did not kill 19 men between the time that this gun was new, and when he himself was killed in 1882. A final clincher is that the handles are sharp on the butt where the notches are and the checkering is in perfect condition. The gun shows holster wear and buffing marks *under* the nickel plating,

and the sight has been changed. Had the revolver in Gucstion been the original, the nickel plating certainly would have shown holster wear; it shows none, and rather appears to be a new plating job. Tthe gun (under the plating' shows wear, but the handles do not!

No one doubted it was a .45 Colt's improved pattern revolver that Bob Ford used, until several years back; at that time, the owner of the Smith & Wesson contacted this writer and the truth of the matter was first published in my biography of Jesse James. What happened was, that the reporters at St. Joe in 1882, excited and rushed with the heat of the news, listed the death gun as a Colt's .45, and that report was carried down through the years. It seems odd, however, that this condition should have existed, inasmuch as the contemporary records also give ample proof that it was not a Colts.

Bob Ford said at the inquest: "I saw that all was done for with Jesse when I saw that heavy Smith & Wesson slug hit him in the head."

FOR A point of argument, some might say that the weapon was a Colts chambered for a Smith & Wesson cartridge. But this point also has been cleared by Charley Ford's statement at the inquest, and elsewhere: "Bob had a Smith & Wesson revolver and it was easier for him to get it out of his pocket, so he got in the first shot."

Substantially this is true; and the Smith & Wesson New Model, no. 3, New Model, .44 Calibre, Serial 3766, nickel plated, 6½" barrel revolver, the property of Mr. Lingenfelder.

After killing Jesse James, the two Ford boys—Bob and Charley—surrendered to Marshal Enos Craig, and were incarcerated in the St. Joseph, Missouri, jail. Warrants were sworn out by Zerelda James, Jesse's widow, and so the Fords were held in the city jail until trial. While in jail, the Fords were often visited by the marshal's curious son, Corydon F. Craig, who brought them cigarets and things to eat, for these fellows were different from the ordinary run-of-the-mill prissoners.

The Ford boys plead guilty to the killing of Jesse James and on April 17, 1882, were sentenced to be hanged on May 19, 1882; to be held in the Buchanan County jail until that time.

On the same day, Governor Crittenden issued unconditional pardons to Charles and Robert Ford, having received a telegram from St. Joseph that they had been sentenced to be hanged for the murder of Jesse James. The evening of the 17th, Bob Ford approached young Corydon Craig and said: "Craig, you were very kind to us while in your dad's jail—may be out of curiousity, maybe not. Anyhow, you treated us better than most of them, so I am going to give you this .44 Smith & Wesson—the very gun with which I shot and killed Jesse."

And so the Fords left St. Joe; but their fame—if such it was—was short-lived. Charley committed suicide at Richmond, Missouri two years and a month after Jesse's death, and Bob was shot to death by Edward O'Kelley at Creede, Colorado, in 1892.

Some years after Corydon F. Craig had received the revolver from Bob Ford, he came to a friend, James A. Gary—who was postmaster general under President McKinley—and asked for a loan. This occurred in Baltimore. Gary asked if Craig had any collateral, and the reply was: "Yes, I have the revolver that Bob Ford used to kill Jesse James."

"I wouldn't have it as a gift," replied Mr. Gary.

E. Stanley Gary shared his father's office and instantly became interested in the gun; he finally bought it from Craig, and also learned the herein his-

[*turn to page* 63]

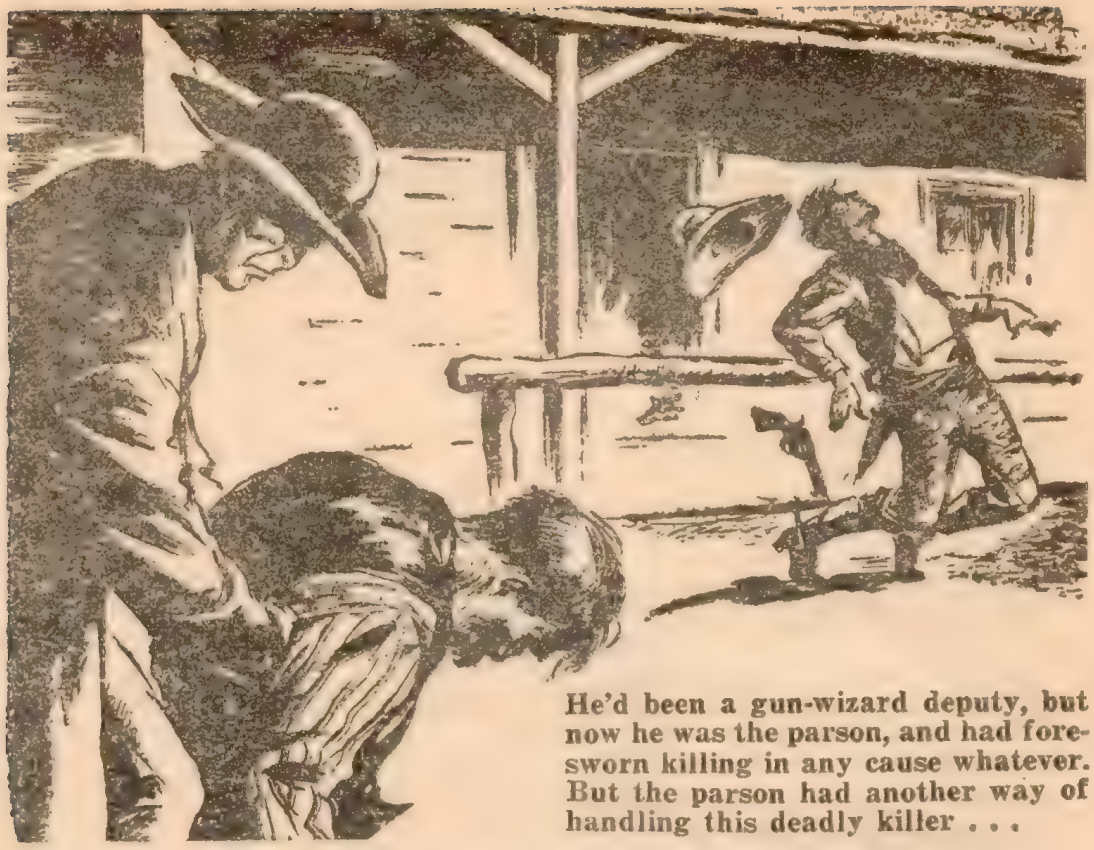
Quiz Feature

WESTERN BRAIN-MIXERS

by JAMES HINES

1. Where was John Ringo, one of Tombstone, Arizona's, most famous characters and right hand man for Curly Bill, notorious outlaw leader, born?
2. Name five famous oldtime cattle towns of Kansas.
3. When did Ed Schieffelin, founder of Tombstone, Arizona, and founder of the Tombstone mines, die?
4. In the sign language of the Plains Indians a man indicates "water" by holding his hand in what position?
5. What noted gunfighter of the Old West was at one time a dentist?
6. For the best results in branding, should the iron be red hot, white hot, or an ash-grey color not quite red hot?
7. Flathead Lake, with an area of 188 square miles, is one of the 25 largest lakes in the U.S.—in what Western state?
8. Where, if anywhere, can you see longhorn cattle in the West today?
9. Highways cross the following high mountain passes in what state: Fall River, Loveland, Berthound, Tennessee, Monarch, Wolf Creek, Cochetopa and Laveta?
10. What is a rider belt for?
11. What is the main difference between a brow bridle and a oneear bridle?
12. *Beefing*, sometimes used to mean the killing of a beef, was most often used in the West as a synonym for:
    grumbling
    eating beef
    raising cattle
    cheating
13. When does a cowboy call his boots "custom-mades"?
14. Name at least three Western towns named for pioneer scouts and explorers.
15. A favorite fiddler's tune at cowboy balls has always been *Over the Waves*. Is it a schottische, a two-step, a waltz or quadrille?
16. Name three kinds of Western trees upon which golden mistletoe grows?
17. You've heard them called suggans, soogans, soogins. Old Texas cowhands sometimes called them parkers. What are they?
18. Doubtless cowboys and cowgals do a little necking sometimes, but cowboys also do some necking without the gals. How-come?
19. Did branding with a hot iron originate in the American West?
20. Are more rangle cattle branded on the left side or the right side?

(Answers on page 98)



He'd been a gun-wizard deputy, but now he was the parson, and had foresworn killing in any cause whatever. But the parson had another way of handling this deadly killer . . .

NO COMMANDMENTS BROKEN

by Sidney Offit

SHERIFF WILLIE SHAW put his shotgun down when the tall, thin man in the black suit and white collar came up to the barricade. He rubbed his stubbled beard and spoke softly. "I'm sorry, Reverend, but it looks to me like we'll be needing you."

"It's all right, Willie. I want to help;" the parson's voice was calm and serious.

Shaw pushed his big hat back on his head and nodded from side to side. "I've had this posse out here for two days, and we ain't getting nowhere." He jutted his thumb toward the expanse of rocky ground between the barricade and an old barn house. "We got ourselves a killer holed in."

Quickly the parson looked toward the barn and then back to Shaw. His eyes were clear and detached. "What did he do, Willie?"

"Held up Central Hardware, killed Jed Murdock and shot up Les Walters pretty bad." The Sheriff lit a cigaret and watched his black boots making little hills in the dirt. "Don't seem this citizen heard you talk on them Commandments."

The parson's face crinkled when he smiled. He beckoned toward a group of men behind them who were gathered around a coffee pot. "Let's talk over

some coffee, Willie; there's no Commandment against our making a picnic out of a seige."

"Seige? Now I tell you, Reverend Tom, that Bible school turned you into a regular professor."

The two men walked over to the fire. It was a cold night and the members of the posse were gathered close together.

"You'll get a laugh out of this posse," Shaw said. "I tell you this is the most peace-loving posse in the west."

"That's good, Willie; I'm glad to hear that." The parson's expression was serious.

"You wouldn't have said that ten years ago, when this posse would have been yours instead of mine."

As they got closer to the fire several of the men got up and greeted the parson. Phillip Benton, a short stocky man wearing a lace shirt-front and jeweled pistol belt, pumped his hand.

"It's good to see you, Reverend. Now that you're here, maybe we'll talk some sense." Benton returned to his place by the fire and the others made room by his side for the parson.

Sheriff Shaw poured a cup of coffee and handed it to the parson. Benton spoke urgently. "I say if we talk to that killer, tell him the score— I mean point out to him the impossibility of his position—we can save useless bloodshed and get this fool thing over with."

"Could be that Mr. Benton with his fine pistol belts don't know a real fighting man any more?" Shaw asked. "What we got in there is a professional gunman. We don't see many like him around these parts nowadays, but you can take it from me—there's no talking with him, unless it's done with a gun."

"THE SHERIFF exaggerates." Benton insisted. "I'm telling you, Reverend, we could make the man reason. After all, we've got him trapped; he's got to realize he can't escape. We'll bargain with him. He's got to make a deal."

"Now you tell me who's goin' to get close enough to talk to him."

"That's just it—we don't have to get close to him. I say we make some signs—big ones, like the ones I use over at the General Store when I'm running a special. We take these signs and write out a message. Tell this fellow he's surrounded. Let him know we'll go easier on him, if he gives himself up—"

"How easy can you go on a killer?" one of the men wanted to know.

"That's not the point," Benton insisted.

"What is the point then?" Shaw demanded. "You think a killer like that is going to bite for mushy-talk and signs. The trouble with this town is that we've gotten too soft."

The Sheriff was facing the fire, and for a moment no one else spoke. Then Mike Kronck, a young cowboy, said "I think we might as well face it now as later. The only way to get that killer is to go in after him. "He can't get all of us."

"Suppose you're the one he gets?"

"I'm not trying to be a hero," Kronk said earnestly. "But even if I did get hurt, at least we'd know we tried."

"*You* can say that all right," an older man said. "You don't have a wife and children. I, for one, can't see taking a chance with the lives of four or five of us. For what? There's got to be another way."

"Well, what are we going to do then—just sit around here and talk through another night and another day? For all we know he's packed in there figuring some way to get away."

Benton hitched his thumbs into his belt and rested his hands on his fat pouch. "Kronck's got a point." He smiled slyly to the boy. "You have something concrete to suggest son?"

"Yes, I think I have. The way I see

it, one of us has got to get up close enough to shoot it out—"

Before Kronck could go any further, the Sheriff interrupted. "I don't think there's any one of us can match guns with that killer—and come out alive." He softened his voice to nearly a whisper. "What do you think, Reverend?"

The parson answered. "It's not for me to say; I put my guns down a long time ago. It wouldn't be right for me to tell any of you to take a chance with your life."

Shaw spoke to the parson now as if the others weren't there. "Listen, Tom, there's no sense in me beating around the bush. What the boy says is right; somebody has got to go in there and get him. And we all know there's only one man in this town can shoot well enough to do it."

"You've no right to ask me to do that, Willie. You've got to realize it's against my religious principles to shoot a man—no matter how bad he is."

The Sheriff pressed forward, pleading. "There's got to be exceptions to every rule, Tom. Remember, you'll be saving somebody's life—that's part of being a parson, ain't it?"

"We could all turn our heads the other way," Benton put in. "And I mean we wouldn't forget it either. I know that I, for one, would be willing to get the ball rolling with a sizable contribution to the church's building fund."

"That goes for me, too," another man said.

"You see, Tom, we're all behind you," Shaw insisted. "And you could do it—you'd show that killer some shooting that'd let him know he can't push this town around."

"Go get him, Tom," a voice called from the other side of the fire.

THE PARSON rose suddenly and dropped his coffee cup. He looked tired. "Stop it, all of you," he said. He turned away from the fire, took a few steps and then turned back. "I'm not walking out on you. You're still my congregation. I want to help you in any way I can—any way that a loyal minister of the gospel can."

Before any of the others could speak, Mike Kronck said, "Looks to me like that lets the Reverend out of the shooting. Now, if you'll give me a hand I think we can get that killer."

"Give the boy a chance," one of the men said.

"Somebody has got to give this thing a try. I'm all for going along with young Kronck. Could be these young fellows are more at this gunplay than we give them credit for," Benton agreed.

"All right then, Kronck; looks like it's up to you," Sheriff Shaw walked over to him and brushed him lightly on the shoulder with his fist. "I'll have the boys go along with anything you say."

Kronck started back to the barricade; Shaw and the others followed. The parson went along quietly, staying close to Kronck.

When they got up to the barricade, Kronck spoke in a clear intelligent voice. "My plan isn't very complicated. What I want you to do is divert him with your fire. Now, Sheriff, if you and the boys group your fire far over to the right there, I can make a break for it from here. I figure I'll get up to the barn in two rushes. The first time, I'll head for that tree stump over to the left; That'll give me good cover in case I'm spotted. When I get up to make my second move, I want you and the boys to start toward the barn. You'll still be out of his range for ten to twenty yards, but you'll keep him busy enough for me to get up to the barn."

Kronck paused then and swallowed hard. "That's all there is to it—"

"I hope you're right," Shaw said. "Well, we've got to give it a try."

Before Shaw and his men moved to-

ward the other end of the barricade, the Sheriff spoke to the parson. "Sorry, Tom, I guess I just sort of run away with myself. Things are still the same between you and me, though, aren't they—" He paused and then smiled. "I mean I didn't break none of them Commandments now, did I?"

The parson looked at his old friend and nodded. "No, Willie, I don't think you've broken any Commandments. I just hope I haven't."

While the Sheriff was organizing the posse in their fire position, the parson stayed with Mike Kronck. The posse's guns opened fire in an uneven volley. After the short volley, several shots came from the barn, dropping harmlessly in front of the barricade.

MIKE KRONCK checked his pistol and started to move out. The parson stopped him just before he left. "I want you to know," he said, "that even if my guns aren't with you, my prayers are. God bless you, boy."

"Thanks, Reverend," Kronck said simply and was gone.

The parson watched from the barricade as Kronck raced across the stoney field in a weaving movement. Several yards from the tree stump, he saw Kronck lunge to the ground and roll over until he was behind it.

"A smart boy," the parson whispered to himself. "Please, look kindly upon him, Lord."

With Kronch safe behind the tree stump, Sheriff Shaw and his men started to move out of the barricade. Their rifles cracked in spurts of broken fire and their boots made heavy scraping sounds against the stones. The parson seemed unable to move, weighted with the cold of the night and his fear for young Kronck. When at last he did join the advancing posse, he moved slowly, in unsteady steps.

"Find it a little rougher going, don't you, Tom?" Shaw asked, dropping back to his side.

"It's no use saying I'm as young as I use to be."

The Sheriff looked at him a moment out of the corner of his eye and said, "Well you never were fast on your feet, Tom. But those long arms of yours, and those hands—"

"I'd rather we didn't talk about that."

The fire from the barn was getting closer and the Sheriff and his men hit the dirt. They crawled forward.

A voice behind Shaw hollered, "There goes Mike Kronck, boys, it's now or never."

Lifting his head inches from the ground, the parson followed the figure of the boy silhouetted against the half moon. He saw Kronck dash toward the barn, when the man inside saw him, it was too late. The boy had already come to the side of the barn, and it was impossible for the fugitive to fire at him unless he came out or the boy went in.

"Let's get moving boys," Shaw called. He rose to his feet and started across the field at a run. Panting beside him, the parson tried to keep pace. He saw Kronck in the distance move toward the door and into the house. "Hurry, Willie," he urged his friend; "don't slow up for me. Someone had better get there fast."

The killer obviously had his hands full with Kronck. No further fire was directed at the advancing posse until they were less than ten yards from the barn—then a bullet ripped through Shaw's hat. The posse stopped and the Sheriff called ahead.

"O.K., Mister, come out with your hands up. If we have to come in there to get you—"

He didn't get any further. The first figure to come to the door was Mike Kronck—but he wasn't alone. Behind him shielded, by the boy's body, was a tall, powerfully-built man with a ragged beard and small dark eyes. The man's thick arm was wrapped around

Kronck's neck. He held a knife at the boy's throat and in his other hand a sixshooter. By his side hung two holsters; one empty.

Kronck's face was flushed, and blood flowed from a bullet wound.

THE FUGITIVE spoke first. "If one of you makes a move, I kill the boy." He jutted the gun forward.

The Sheriff lowered his rifle. "There's twenty-four of us, Mister; you don't have a chance."

A bullet tore the rifle from his hand. One of the posse fired wildly, and the man pulled Kronck back into the barn.

This time the gunman's voice was strained and angry. "All right—drop your guns. And I mean every one of you. Tell 'em, boy—tell 'em you don't want your throat slit."

"Get him, Sheriff, get him—" Kronck's thin voice choked out.

Sheriff Shaw looked at the faces of his posse for a minute. When he got to the parson, their eyes met. There was an urgent plea in the Sheriff's steady gaze.

The parson spoke—his voice clear and forceful. "Put your guns down men," he ordered.

There was a murmur of surprise among the posse, but each gun was dropped. Then the parson called toward the barn, "We're unarmed, Mister; you can come see for yourself."

Kronck appeared again and behind him the gunman.

"You goin' to let the boy go?" the parson asked.

"I'll let him go all right—soon as I've got ten miles behind me."

"But the boy's wounded," the parson said. "By the time you've gone ten miles with him, he might be dead."

"Can't help that." The fugitive pushed the gun forward.

"I'll tell you what—suppose you take me, instead of the boy—"

"I don't make no trades." The gunman started to walk forward.

"Pick up your guns, men," the parson commanded. "If this is the way you want it, Mister, this is the way it'll have to be."

"I'll slit his throat. You make one move, Parson, and—"

"That boy needs help," the parson said. "You're trading us a dead body for your freedom. Either you take me, or we take you."

The gunman took several steps backward. "I never run into no tough-talking parson like you," he said. He paused, tightened his grip on Kronck's neck and then, "All right, Parson; come on. Step out here where I can get a good grip on you, and no funny stuff."

The parson walked forward until he was directly in front of the fugitive. Then he turned, so that his back was flush against the killer's gun.

"You shouldn't do it, Parson. Let's get him; he'll kill you anyway," one of the posse called.

Sheriff Shaw's voice came fast. "Shut up; Tom knows what he's doing."

In one quick movement the fugitive threw Kronck forward and grabbed the parson. Shaw rushed for-

ward and picked up Kronck; the boy was sobbing.

THE GUNMAN locked his arm around the parson's thin neck in the same fashion in which he'd held the boy. "All right now; start walking," he ordered. "I'm getting me a horse and getting out of here fast."

"We'll get you—sooner or later we'll get you," Shaw said.

"It better be later," the gunman said. "Or else you better be looking around for somebody can run a decent funeral for the Parson."

The parson's chin was pinched high on the big man's arm, and he walked with slow uneven steps. His long arms hung limply at his sides.

The posse followed them as they walked ten, twenty yards toward the barricade—a strange awkward couple who looked like two misguided drunkards.

"I might be able to pick him off," one of the men whispered to Shaw.

"You crazy? I ain't taking no chances with Tom's life."

They were practically at the barricade when the posse heard the single report of a gun.

"If he's killed him—" Sheriff Shaw said bounding forward.

They were standing peacefully at the barricade wall when the sheriff and the posse arrived. The gunman's guns were stretched high over his head, and the parson calmly held a sixshooter.

The killer's gun lay discarded on the ground; outside of that, there was not the slightest sign of violence.

"You'll want to take this misguided man away, I suppose," the parson said. "And then I think it might do you all well to join me for evening prayer."

"You made yourself a bad trade," Shaw told the prisoner. "I'm afraid you got yourself the fastest-drawing parson this side of heaven."

"And we didn't even think you carried a gun," the stocky Mr. Benton said with a look of bewilderment.

"I don't," the parson said with a faintest smile; "it's against my principles."

"But where—"

It was the Sheriff who flipped his hands against the prisoner's pair of empty holsters. "When these two started on their little walk awhile back, I reckon as to how there was a gun in one of these holsters. Quite a trick, you can take it from me, outdrawing a man with a gun from his own holster."

"I just allowed as to how I was a little fatter, and that holster might be hanging a little farther back on my hip," the parson said. "And now, gentlemen—this road to salvation."

Without protest they followed him to church.

★

The Gun Which Killed Jesse James

(continued from Page 56)

tory of the weapon at that time. In Springfield, Massachusetts, Gary took the gun to the Smith & Wesson people, who engraved on it: "*Bob Ford killed Jesse James with this revolver at St. Joseph, Mo.*, 1882."

This history, coupled with the affidavits concerning it, together with the court records, should settle the ownership of the real gun which killed Jesse James. The revolver which Bob Ford is holding in a photo taken of him is *not* the gun he used to kill Jesse James.

★

Kay had never met anyone like Dave Trent!

SWINDLER'S PARADISE

by BETH ROGERS

KAY clutched the seat, pulse quickening, as the driver lashed the stage horses into a gallop. The next stop would be Ten Trees, booming frontier town—end of the rainbow with its fabulous pot of gold. Only, Kay told herself confidently this wasn't a myth.

From her handbag she took the blue print and studied it. Mr. Oliver, the agent who sold her the lots, had given her the print. He called Ten Trees "Gateway city to the West." According to the plat, the town was located on a wide and beautiful river. It was laid out on a magnificent scale, with public squares, schools, and churches. In one section a clump of trees overshadowed a large and limpid spring of water. It was here Kay had chosen her block of lots. Mr. Oliver had congratulated her on the choice. Said it was the beauty spot of the town. There was no railroad but one was rapidly building that way, the agent assured her.

Mr. Oliver had told her the roads were the finest imaginable in a frontier country— Kay felt a touch of misgiving as the coach lurched crazily and the map slid off her lap onto the floor. An old man sitting opposite picked it up, glanced at it, and with a peculiar expression, handed it back.

Kay intended staying only a short time at Ten Trees. Just long enough to sell the lots and double her money, as Mr. Oliver had said. Then she would go home, and with the profit, put her kid sister, Beth, in college.

There was only the two of them, and Kay loved her younger sister better than anything in the world. Beth must be educated. That was Kay's responsibility, inherited from her father when he died a few months ago. He had left little else, except a small insurance policy.

Kay had worried a lot about Beth, and how best to use the small amount of insurance money to her advantage. Then Mr. Oliver had happened along with the Ten Trees proposition. She had invested most of the money.

The driver swung off the trail in a wide circle, finally coming to a halt amid a great cloud of dust. When it cleared Kay saw they had stopped between two weatherbeaten, unpainted buildings. On one was the half eradicated sign, MOORE'S TRADING

POST, and on the other, DOKE'S BLACKSMITH SHOP.

The driver sprang from the box and opened the stage door. "This is it, Ma'am," he told Kay.

"I'm going to Ten Trees," she informed him a little impatiently.

He threw down her baggage and stood waiting for her to alight. "Ain't much of a place, lady," he said apologetically, "but this is her."

Kay didn't move. "It can't be!" she said incredulously. "The place I'm going is a prosperous, thriving— While this—!" She glanced out at the bleakest spot she had ever seen to be called a town. There was only one main street with any pretensions of a grade, and it was interspersed with stumps and stones. The others were mere footpaths leading to a few shabby cabins scattered about.

Nothing was like Mr. Oliver had represented it. The blacksmith shop was marked "Machine Shop" on the print.

The driver took a dirty bandana from his pocket and mopped his dusty, sweated face. "Reckon you're another of them Easterners bit on a real estate swindle."

At the sick bewilderment on her face, the man added, "Sorry, Ma'am. Want to go on to the next railroad town?"

Kay recovered enough to answer. "No. If this is Ten Trees, I'll stay." How could she bear to go back and tell Beth their dreams for her future were hopelessly shattered! She'd have to stay and see if, somehow, something could be done. If she could find the agent, Mr. Oliver—

SHE drew on her dainty white lace mitts, adjusted her hat over bright chestnut curls, and thrust out a determined, small chin. Shaking out the skirt of her dark blue traveling dress, she stepped down into the dust of Ten Trees.

The driver shook his head dubiously. "I'll be back through tomorrow, case you want to ride back to Arapaho City." Hopping upon the seat, he cracked his whip and the stage coach rumbled away.

Kay stood uncertainly for a moment, fighting vague terror. What did a girl do when she found herself alone in the middle of nowhere, defrauded of her money, no friends, and no place to go?

Through tear blurred vision the sign DOKE'S BLACKSMITH SHOP appeared. Picking up her suitcase, she walked across, knees threatening to crumple at every step.

A big man in a dirty leather apron was shoeing a horse. Standing near, watching, was a somewhat younger man. From somewhere in the tightness of her throat, Kay found her voice. "Can you tell me where I can find lodging for the night?"

Both men turned quickly, surprise on their faces, then the blacksmith went on with his work. The other ran his eyes over her neat slimness, and a smile touched his lips. His hand raised to lift his big hat. "Reckon you got off the stage."

She nodded. "I—I bought property here."

"Sight unseen, eh?" the blacksmith bellowed above the noise of his hammering. "Third victim this week."

"Wouldn't say victim, Doke," the young man said amusedly. "Investor is the word."

"Call it what you want," Doke guffawed. "Them land sharks is doin' a land office business."

Kay fought back tears. "He made it so glowing— Said it was— I have the plat here." She unfolded the paper and held it up for them to see.

The young man studied it intently. "Reckon you bought the lots all right *whatever* they're worth. They're west of here a piece."

"He sold me lots in a fake town," she cried angrily. "The low scoundrel! I'll prosecute him—make him wish he'd never seen Kay Kennedy!"

"Trouble is findin' him, Miss Kennedy." Frowning, the young man took off his hat, smoothed his tumble of black hair. "Country's full of land swindlers. Slick hombres." Then a quick smile flashed across his face. "Almost forgot to introduce myself. I'm Dave Trent. Got a little spread a few miles out. This hombre shoeing my horse is Doke Simpson."

He took a few steps toward her, and Kay noticed for the first time what a colorful figure he was in his checkered shirt, dark jeans, and slant heeled boots. He was tall and wide of shoulder. Strength was in every ripple of his lean muscles. She had never met anyone like him.

She had expected he would be scornful of anyone who was dumb enough to buy "sight unseen". But his gray eyes held only friendliness, and admiration so frank her heart gave a few rapid, unreasonable lunges. "About the night's lodging—" she started again.

Dave Trent turned to the blacksmith. "Any place in Ten Trees Miss Kennedy can stay, Doke?"

"Not as I know of," he replied, "less'n she wants to camp under a scrub oak." He gave a sweep of his arms toward the blackjack covered hill opposite the town.

"Oh—" All the terror of a few minutes before returned. "Whatever shall I do?"

"If you could put up with our poor accommodations—" Dave offered gallantly. "Aunt Ludy's waitin' at the trading post. She keeps house at the Walking T."

Doke Simpson nodded approval. "That's what you better do, Miss. Aunt Ludy's good at makin' folks feel at home."

JUST THEN a middle aged woman came out of the building across the "street" and placed a sack of supplies in a buckboard. Then, raising a faded unbrella against the scorching rays of the sun, she waddled toward the blacksmith shop.

The bewildered girl made a sickly attempt to smile her gratitude. "I'd be pleased to go." But inside she was trembling and unsure. These Western people were so strange and different. She glanced apprehensively at the gun on Dave's hip. She'd heard they shot people on the slightest provocation. Still, she had no choice.

Aunt Ludy seemed glad to accept a guest. "For," she explained, "it's been kinda lonesome since Janie Moore went away to school—she's the store keeper's girl. Used to ride out most every day. Thinks a heap o' Dave."

The road leading out of the townsite toward the ranch wasn't quite as rough as the one coming in. Kay sat on the spring seat between Dave and his aunt trying to think of something to say. However, she soon found it wasn't necessary. Aunt Ludy kept up a stream of chatter, not waiting for answers. She pointed out Geronimo Hill, just outside the townsite, where a great Indian battle had been fought. They crossed Tenkiller Creek, designated on the map as a "wide and beautiful river".

Dave kept an Apache like silence, speaking only to the big gray horses. The country was wild and uninhabited, except for a few homesteaders' cabins. A jack rabbit jumped out of the grass beside the road, to go hopping swiftly across the prairie. Coyotes slunk away from the trail. A rattle snake crawled across the road in front, bringing an involuntary little scream as Kay clutched Dave's arm. He looked at her amusedly and leaped lightly from the vehicle, to follow the waving trail of grass and shoot the snake in the head. Then he held up the horrible, deadly thing to measure its length.

Droves of cattle were everywhere, silhouetted on the hills, grazing in big herds on the low lands. "Walking T cows," Aunt Ludy remarked proudly.

"Dave's doubled the herd since his pa died."

Kay was a little reassured when they came in sight of the well-kept ranch buildings, the most prosperous layout she'd seen for many miles. There was a white picket fence in front, and old fashioned flower beds—Aunt Ludy's pride and joy. Maybe these Western people weren't so different after all. Not that it mattered. It wasn't in Kay's plans to form any friendships here. Only to sell the lots and return as quickly as possible.

Before they reached the front gate, Dave broke his long silence. "I've been thinkin', Miss Kennedy. We might still build a town at Ten Trees. If you'll stay a while, your lots might still be worth something."

"Do you mean it! How—?" He must be joking, though his tone was serious enough. "Do you really think so?"

Aunt Ludy was out of the vehicle gathering up her groceries. "You can carry this coffee and sody, if you don't mind, Miss Kennedy." She threw a sack across her own ample shoulder, and with hand on hip waddled beside Kay toward the house. "If Dave sets his hand to it," she declared confidently, "he can do might nigh anything. Even build a town."

AFTER SUPPER, sitting opposite Kay on the veranda, Dave explained his plan. "Come mornin' I'll ride to the county seat and see about land titles and surveys."

"But doesn't Ten Trees belong to Mr. Oliver and—the investers?" Kay asked.

"Only a small part—to make his deals appear legal. I'll have some hand bills struck," he continued, "advertising a big lot sale. Free barbecue. Give a pair of lots to the first one layin' down material for a house. Free lots to the couple married on the spot—maybe a free house."

It was all so new and wonderful, Kay had trouble keeping up with his swift flow of ideas. "And music," she put in breathlessly, "a band, and flags!"

He nodded. "Sure. Bring 'em over from the county seat." Dave spoke of building a town as though it were as simple as stretching a range fence. "I'll send the boys out over the country with the hand bills. Advertise in papers of adjoining states."

A big tent would be erected and the lots auctioned off. Kay would get her money back—maybe a little profit.

Kay's heart was light again. Beth would still get her education. Their dreams would still come true.

A lit'le breeze came fluttering through Aunt Ludy's flowers, carrying faint, sweet perfume, caressing Kay's face. Fireflies and white winged moths glinted in the moonlight.

And suddenly Kay realized that all her fears of the strange new country were gone. Her stupid venture had turned into a glamorous fairy tale, prince charming and all.

"I've always hoped a town would be built at Ten Trees," Dave was saying, "with a railroad and loading pens. Reckon sometimes we just have to make things happen ourselves."

"But Mr. Trent, won't it cost a lot?"

"I'll get it done," he said. "And call me Dave."

AND DAVE it was from then on. He was in her thoughts constantly. Aunt Ludy talked about him unceasingly when she was helping her in the kitchen.

Dave's strong personality was everywhere about the place. Everything reminded her of him, some gesture of his, or something he had said. Even the wind seemed to call his name as it wailed across the prairie, or whispered gently at evening.

Kay was beginning to love the new country. Her days at the ranch were

happy, filled with anticipation of the hour Dave would come riding in from his work.

Then something happened that brought a sudden end to her day dreaming. Janie Moore was home for the summer vacation. She came riding out one day like a young whirlwind, her straw colored hair blowing in careless abandon across the golden tan of her cheek. "Hi"! she called as Dave went out to meet her. "Tell me about it!"

"Howdy, Pint-Size." Dave's strong arms raised to lift her from the saddle. "What's the excitement?"

"Why the new town, of course," she laughed. "Right on my doorstep! The big celebration. And who's goin' to be married and get a new house?"

"You, probably. If you can fool some man into thinkin' you're grown up." He kissed her cheek lightly, and marched her playfully to the veranda. "Janie, I want you to meet Miss Kennedy."

"O—oh!" Janie stood a little out of breath looking at Kay. "I didn't know you had a visitor." Her eyes took in the details of Kay's ruffled blue dimity dress, the soft whiteness of her skin, her new fashioned hair-do. "No wonder things are happening around here!"

Kay tried to keep her smile bright as she took Janie's small brown hand. But there was an empty hallowness in the region of her heart. "I've heard nice things about you," she said lightly.

So this was the girl who thought a "heap" of Dave. And he, no doubt returned her affection. Why shouldn't he? Janie was a girl of his own pattern, a girl of whom he could always be sure. She knew his kind of life. She could take the hard knocks of the frontier as well as the fun and excitement.

How could she ever have thought he could care for a tenderfoot like Kay Kennedy, who knew nothing at all of Western people and their ways?

After supper Janie left, but she was scarcely gone when other visitors came. Aunt Ludy had gone to bed, and Dave and Kay were on the veranda talking over plans for the new town, when two men galloped up to the hitching posts in front.

"Light down, strangers," Dave called in his usual friendly manner.

But the men remained in their saddles. "You come here, Trent," one of them commanded gruffly. Kay didn't like the man's voice.

A little reluctantly Dave walked toward the men.

"Sargent sent us," the man said as Dave approached. "You're to call off the lot sale at Ten Trees."

"You tell that damn land shark—" Dave reached the hitching post, and lowered his voice, so that Kay couldn't make out all the conversation. But she could tell there was heated argument.

Dave's voice rose with his anger. "Sargent's swindled enough in these parts. It's time someone stopped him and his gun slingers, an' that's what's gonna happen at Ten Trees. I'm goin' ahead with the town. I'd like to see him stop me!"

"He'll stop you, Trent, but you may not be around to see." A little shiver of fear trembled through Kay at the man's sinister, threatening tone. "You won't have no lot sale at Ten Trees."

"Tell Sargent to go to hell." Dave turned and strode toward the house.

The men whirled their horses and galloped back toward Arapaho City.

KAY KNEW their wonderful plans had run into difficulty—and with the sale only two days off.

"What is it, Dave?" she asked worriedly. "Why should anyone interfere?"

Dave sank into a chair beside her, a flush on his bronzed cheeks. "It's Sargent, the real estate agent at Arapaho City. He wants Ten Trees for his own purpose. Wants to make some pretty pictures and send back East for

suckers—" the flush on his face deepened—"investors."

"Like Mr. Oliver? Oh Dave, I realize now how stupid I was."

"Lots of people fall for the line. A great deal of land swindlin' goes on."

"But why Ten Trees?" Kay wanted to know.

Dave shrugged his broad shoulders. "He has his plans."

Kay was silent, depressed. Must all her hopes be torn to shreds again because of the man Sargent? Must she go back home and tell Beth that she had stupidly lost all their small inheritance?

And yet, if Dave went ahead with the town, his life would be in danger. When she spoke her voice was low, full of anxiety. "We must give it up, Dave. It isn't worth risking your life for."

"If Sargent starts anything, I'll take care of him," Dave declared angrily. "He'll find I don't scare that easy."

"But Dave—he threatened—" an involuntary little sob stuck in her throat.

Dave was out of his chair, standing close, searching her face. "Does it mean so much—about me—you'd be willing to lose—"

"Everything," she whispered almost against her will. "Oh Dave, if he harms you— Please give it up."

"I can't—not now, Kay." And she knew from the set of his jaw further argument would be useless. Then his voice softened and he added. "Don't worry, honey, I can take care of myself."

Suddenly she felt his strong arms holding her, drawing her close. Her face was close to his, and all fear and uncertainty fled before the warmth and sweetness of his kiss. Momentarily she forgot everything—even Beth.

His arms dropped to his sides, releasing her. "I shouldn't have done that," he said huskily. "I didn't have no right—goodnight, Kay." He strode swiftly through the house and out the back. Breathlessly she listened to his footsteps echoing on the stone walk leading to the corral.

Dave had no right to love her. Janie Moore, of course. All the rapture of the moment before faded, and she crept upstairs to her room, her heart aching with emptiness.

It had been only another foolish dream. Dave would marry Janie. Maybe at the sale.

Fortunately, Kay thought, her stay at the Walking T would end in two more days. The sale would be over and there would be no reason for staying.

But in the meantime she had a task to do. She would find the man, Sargent, who was threatening Dave's life, and see what could be done to stop him...

NEXT MORNING Kay waited until Dave was gone, then saddled the pony left in the corral for her use. Dave would be busy all day making arrangements for the lot sale. He wouldn't miss her.

For a tenderfoot like Kay it was a long hard ride to Arapaho City. She was tired and hungry when she got there, but nothing would stop her until she had found the man she had come to see.

Arapaho City was the usual small, dusty frontier town, one main street and a few scattered dwellings, court house and railroad station.

It didn't take Kay long to find what she was looking for—a large tin sign flapping noisily in the wind. It read, "O. Sargent & Co. Real Estate."

She opened the door of the false fronted plank building and stepped uncertainly into a large, foul smelling office. Two rough looking men lounged on a bench against the wall and aimed promiscuously at a large cuspidor in the center. She was sure they were the ones who had called on Dave last night.

"I'm looking for Mr. Sarg—" A

man at a littered desk swung around in a swivel chair. Kay's eyes popped out and her mouth fell open. Mr. Oliver!" she gasped.

It wasn't the same suave, smooth Mr. Oliver who had sold her the lots. Oh, he was the same man all right, but he was unshaven, his clothes soiled, and his voice was hard and rasping as he said, "You're mistaken, Ma'am, I'm Sargent."

"You may be Sargent here," Kay said scathingly, "but you were Mr. Oliver back in Springtown two months ago when you sold me the Ten Trees town lots."

Kay knew he must recognize her in spite of her riding clothes, but he kept on pretending. "Ain't had the pleasure of meetin' you, Ma'am."

"Oh yes you have!" she exploded. 'You sold me lots in a fake town, took my money under false pretenses. You robber! Now you're threatening Dave Trent's life. I'll have you arrested and sent to prison!" With head high she turned toward the door, but one of the loungers had leaped ahead, barring the way.

"Wait a minute, Miss Kennedy." Sargent dropped his mask of pretense. "Sit down and talk this over."

Kay forgot she was tired. "I can hear from where I am—if you have anything to say."

"It's true, I'm Oliver Sargent. Somehow you mistook my name. I sold you the lots—" His voice took on the velvety persuasiveness Kay remembered so well—"but I was in good faith. I was only the salesman. The real promoter of the Ten Trees townsite was Dave Trent."

"No!" His words struck her like a blow in the face. "Dave couldn't—"

"Why couldn't he?" Sargent's eyes held her—peculiar eyes with an odd gray and yellow flecking. They were almost hypnotic.

Kay broke away from his snake-like gaze. "Because he's honest. And you're a cheat and a swindler!"

"Wait, Miss Kennedy," Sargent repeated. "You're calling names. I can prove by the court records the land the trading post is built on belongs to Dave Trent."

"It can't be," Kay persisted. "Dave wouldn't—"

"Want to walk to the court house and see, Miss Kennedy?"

"No." It was impossible that Dave was mixed up in a crooked deal. She turned toward the door.

"If you go squakin' to the law, Miss Kennedy, your esteemed friend, Dave Trent, will be in bad trouble."

"You mean Dave was in it with you?" she asked incredulously.

"You can see for yourself."

She was getting all confused and shaky inside. "I'll go back to the ranch and talk with Dave," she finally decided.

This time he let her go. She went into a restaurant and ordered a meal, but couldn't eat. After resting a while she drank a cup of black coffee and started back to the Walking T.

DAVE COULD explain everything. She was sure of that. She recalled hearing Aunt Ludy say Geronimo Hill belonged to the Walking T. Maybe Ten Trees too. But her lots were a little to the west, and that's where Sargent's fake town was, not on Dave's land.

As Kay rode, confidence in Dave returned. Even though he belonged to Janie, she wanted always to think of him as honest and decent.

She was dead tired. The afternoon was warm and she grew drowsy. Locusts zirred in the trees along Tenkiller Creek, nesting birds darted among the branches.

Then suddenly a twig crackled behind, arousing her from the afternoon lethargy, and someone darted from behind a near-by clump of trees. Kay turned in her saddle to look into the face of a masked rider!

She screamed, putting spurs to her horse, but it was too late. The man had a firm hold on her bridle. For a brief moment the two horses blended in a fighting as Kay tried desperately to break away. Then a second masked rider threw a noose over her shoulders, binding her arms tight to her body. He tied a dirty bandana over her eyes, and turning, led her horse back across the creek.

"Where are you taking me?" she cried bewilderedly.

But the men paid no attention to her frantic questions. When they talked to each other it was in tones she couldn't understand.

Her arms grew numb from being bound so long. She was more fatigued than she had ever been in her life. Where were they taking her? What did they want of her?

The crispness of evening had settled down when at last they stopped, and the man pulled her roughly from the saddle. She stood there cold with fear and numb from the long ride, while the man removed the blind from her eyes.

They were back in Arapaho City at a cabin in the outskirts of town.

There was little furniture in the room. A lamp with a smoke blackened chimney flickered dimly on the crude home made table. The man pushed her into a rawhide covered chair beside the table and thrust a soiled envelope in front of her. "Letter fer yuh, Miss."

With trembling hands Kay unfolded the note and read, *"Dear Miss Kennedy: You better take the next train back East. Things may get a little rough here the next few days. After the sale I'll send your things and the money for the lots."* It was signed *"Dave Trent"*, and a postscript added, *"I aim to marry Janie Moore tomorrow."*

Incredulously she gazed at the piece of paper in her hand. "Dave didn't write this!" she burst out. "If he wanted me to leave," why didn't he tell me? He didn't have to do this!"

"It's fer your own good he wants you to leave," the man urged, but there was no kindness in his voice. He thrust some money into her hand. "Fer your train fare."

Too fagged to resist, too drained emotionally to reason, she said raggedly, "I'll go," and put the money in her pocket. "I'm tired of this uncivilized country, all the underhand, double crossing—" It was unthinkable Dave could have done this. Still, she hadn't known him very long. Maybe she didn't know him at all. "When does the train leave?"

"Purty soon. We better go."

As they passed a store, she went in and bought a dress—of a sort.

She was glad the train was on time, for she would be thankful to get away from the ruffians guarding her so closely.

As she stepped on the train she heard the men gallop away, and breathed a sigh of relief.

Then suddenly Kay realized she was running away. Her business at Ten Trees was unfinished. Dave was in danger. Sargent and his men would kill to accomplish their purpose. She couldn't leave tonight. Maybe tomorrow—

The train was slowly moving out when she swung off the coach, almost falling. Regaining her balance, she saw a man standing at the other end of the platform watching the train pick up speed. Sargent! He was the one who wanted her to leave, because she had threatened him with the law.

Her spirits rose, and courage flowed back into her veins. She darted behind a load of baggage, her heart pounding so loudly it seemed that it must disclose her p r e s e n c e, when Sargent, leaving, passed close by. When he was well away, she went to the hotel for a few hours of much needed rest.

SHE WAS up at sunrise, on her way to the sheriff's office.

Passing the street across from Sargent's place, she noticed half a dozen horses tied in front. Among them was the pony she had ridden to Arapaho City. She slipped across the street, untied him, and mounted.

Before she had time to get away, the door of the real estate office opened, and some rough looking men dashed out. Cursing venemously, Sargent started in pursuit.

Frantically she lashed at her horse, afraid to look back. In front of the sheriff's office she scrambled from her saddle and made a dash for the door.

The lawman opened his eyes. "What's chasin' yuh, young lady? Run into a bunch o' wildcats?"

"Yes—" out of breath she dropped into a chair. "No. It's Sargent."

"Land Agent Sargent?" The sheriff went to the door. "Don't see nobody."

Briefly Kay told her story. "There'll be trouble at Ten Trees, if Sargent isn't stopped," she finished. "He intends to break up the sale."

"Stay here," the sheriff instructed. "I'll go across to his office and see what he's up to."

Waiting was difficult. Kay drummed on the sheriff's desk, got up and walked to a gun rack in the corner. There was a gun belt with a loaded .45 in the holster. She would ask the sheriff for the loan of it. Small wonder Dave and his cowboys always carried weapons, while such criminals as Sargent and his men were at large.

The sheriff returned. "Quiet and peaceable over there," he said. "Closed just like Sargent left it last night."

"Already left for Ten Trees," Kay asserted tersely.

"I think yore imagination—"

"You must believe me, Sheriff," she cried. "There'll be bloodshed—"

The sheriff shook his head obstinately. "I ain't found Sargent breakin' no laws."

"Then you refuse to go to the sale?"

"Don't see no need to. Don't want to buy—"

Kay saw words were useless. "If the law will give no protection," she spat at him, "people must take the law into their own hands!"

Snatching the gun belt from the rack, she was out the door, fastening it around her slender waist as she ran.

"Here you, come back with that gun!" the astonished sheriff called. But she was already mounted, heading for Ten Trees.

She didn't know what she would do when she got there. But at least she would get there. The gun would take care of any further kidnapping.

However, her assurance was short lived. Her heart sank as she saw the sheriff topping the hill behind. He was coming to take the gun. He would let a criminal like Sargent go free, and pursue a lone girl whose only thought was to prevent harm to the man she loved.

At the foot of the hill she darted out of the road toward a clump of scrub oak.

A lot of people were on the road, despite the early hour. That made it easier. To her relief the sheriff went by. She allowed him to gain a little distance, then fell in behind, always keeping him in sight.

It seemed that everyone in Arapaho City was headed for Ten Trees. She hadn't known there were so many people in the country. Dave had spared no trouble or expense to advertise the sale.

Crossing Tenkiller Creek, she eyed with apprehension the spot where the attack had occurred yesterday. But nothing happened.

At the top of Geronimo Hill she had a good view of what was going on at the townsite. How different to the bleak place she had first seen! A big tent had been erected a little way from

the trading post. Flags waved from the top, and the poles were draped with bunting. Pulses quickening, she urged her pony ahead.

A number of streets had been graded, stumps and stones removed. Town lots to be sold were marked with stakes from which waved red and blue penants with white numbers. People milled about everywhere. Excited expectancy was in the air. A long row of vehicles were parked beside the tent.

KAY WAS only a short distance away when the auctioneer started crying the sale. But before he was well under way, a gun cracked. She could make out Sargent's men approaching the tent. Other shots followed. Her heart almost stopped beating. Hell broke loose on the townsite.

Dave's cowboys were firing at the raiders from behind parked vehicles. Through the hissing and tearing of bullets came the shouting, swearing voices of men and the screams of women. Doke Simpson darted from his shop to join the ranchers. Half-way he fell. Dave ran from the tent, and in a flash had fallen beside Doke, but his gun came up roaring.

A scream tore from Kay's throat, and for a blinding moment she forgot she was a tenderfoot, forgot everything except that Dave was in deadly peril. Dashing forward, she aimed at Sargent, emptying the cylinder of her revolver. None struck, but the attack diverted the attention of Sargent's men.

The Sheriff moved in. Kay heard his command to "cease firing in the name of the law", and most of them complied. But two of Sargent's men tried to break away, firing at the sheriff as their horses tore at the breeze.

The firing ceased as suddenly as it had started. Smoke and dust cleared away. They were gathering up the wounded, carrying them into the trading post. Some were cowmen. They might be killed. Dave—

A prayer formed in Kay's heart as she fought her way into the building.

A doctor had been rounded up in the crowd and was caring for the wounded. Janie Moore was efficiently helping.

One of the victims, too bloody to be recognized, was plainly beyond help.

Then she saw Dave. He was helping carry in a wounded man. His own sleeve was blood soaked.

As he started outside again, Kay ran to his side, clinging to him hysterically. "Dave! You're hurt! Go back and have your wound cared for!"

He looked at her coldly, breathing hard. "So you changed your mind about leaving, even after sending the note!"

"Note!" she cried confusedly. "It was you sent a note—asking me to leave. But I couldn't."

"Oh!" Light dawned in his gray eyes. "Sargent again. Reckon he won't do no more harm. Sheriff got him. Funny he got here just in time."

"He was chasing me. The gun I stole—"

"You! The gun—! I don't understand!"

There was no time to explain now. "Your arm, Dave. You must go back—"

"Only a scratch. Others need the doc's care."

They went across to Doke's blacksmith shop and boiled water, and Kay dressed his arm as best she could.

Laughing, he said it was as good as new—even better.

They walked back to the big tent. The band started playing "Dixie" and the crowd drifted in. The sale got under way again. This time there was no interference.

Kay stayed in the back of the tent. Dave came once to tell her the sale was going well. During a lull, while the auctioneer was wetting his throat, a shout went up from the crowd, "Wedding! Like's advertised!"

KAY LEANED against the post where she was standing, an aching weariness in her bones. This was the time she was dreading. This was the time Dave and Janie Moore would be married. She wished miserably she had never heard of Oliver Sargent and Ten Trees. Dave walked up to speak to the auctioneer. She closed her eyes, gripping the pole.

The crowd continued its clamor, "Wedding! Wedding!"

Then a voice, vibrant, tender, was murmuring close to her ear. "Reckon it'll have to be us, honey."

"What about Janie?" she asked weakly.

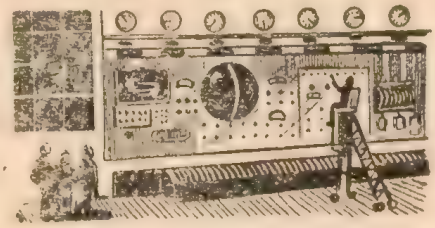
"Janie's like my kid sister." His lips were close to her cheek, and her heart was near bursting.

"You said you had no right—"

"No right to say I love you till I prove it, by buildin' your town, gettin' your money back. This is the way I aimed—hoped it would be all the time. I love you, Kay. Will you marry me?"

"Oh yes, Dave, yes." She slipped her hand into his hard brown one, and turned with him to face the minister in front. She knew now, with Dave at her side, she could meet anything this strange, new country had to offer.

No longer would the coyote's lonesome wail resound from the valley, or the war cry of the savage strike terror from the hills. For love was building a town. Civilization was moving in.



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OF FATE AND FAGGS McCANN

by EDWARD GARNER

Faggs McCann was a violent man,
And a lawless one, and bad;
His face had sign of the saturnine
When he was but a lad;
And the way he stole played a leading
role
In making ranchers sad!

He liked to fight, and he would bite
And kick and stomp and pound;
He'd cuss and dare, and yell and blare,
And wrestle on the ground;
Then link his fate with a whiskey straight,
As men stood in fear around!

The ranchers longed, those he had wronged,
To swing him from a limb,
To give no truce, but place a noose
Around the neck of him,
And swing him high, where left to die,
He'd be a warning grim!

But Faggs construed this attitude
As prejudiced; and he
Eluded all, the while he called
On cattle he took free—
Then found more boon in a large saloon,
In the shape of a week-long spree!

Those were the times of daring crimes,
And Faggs was back of most;
He stole the steers, he robbed his peers,
And often he would boast
That the proceeds from his misdeeds
Had half-a-million grossed!

The sheriffs tried, but Faggs defied
Them with a bitter sneer;
He shot it out, he put to rout
The lawmen—he would jeer
At sheriffs' stars and iron bars—
Of them he had no fear!

Odd things occur—some men aver
The oddest they have known
Was when Maybelle stepped in to quell
The dangerous Faggs alone—
She brought him in from the paths of sin
With eyes that, love-lighted, shone!

Now Faggs is meek, no more to seek
To reap what men, honest, grow,
He works from dawn till the day is gone,
For Maybelle requires it so—
And when he pines for drink's anodynes
Her answer is always, "No!"

You can hear Faggs' moans, and can hear
his groans
As he slaves to supply their need;
Ten young McCanns upset his plans,
And he works till his fingers bleed;
And today at noon Maybelle said, "Soon
There'll be one more mouth to feed!"

★

"Yes I rode with Chance Duncan and Jud Elby, once; that is all past, now. But they were my friends, and I can't betray them now, whatever they've done!"

HIGH STAKES

by NORMAN DANIELS

THE SUMMER horses were in and the ranches were quieter waiting the cold weather when activities dwindled to a point where half a dozen men could take care of things. Milo Ryan was paid off with the rest of the hands who were being let go, but Milo didn't mind. The check Hank Foster gave him, would buy the old Lipscomb place so he could settle down with Nora Keating, the sheriff's daughter. Five months ago Milo laid eyes on her and right then and there, stopped being fiddle-footed.

Ryan rode away from the Y-Bar later that day and it was like leaving home. In the last eight years of his twenty-four, he'd been a drifter without kin or roots. As footloose young man will, he found bad company.

With Chance Duncan and Jud Elby, he'd taken part in a bank robbery which netted them hardly enough to buy the makings, but brought a fast riding posse hot on their heels. By sheer accident they'd stumbled on the old Lipscomb spread, found the ranch house empty and falling away to ruin and they'd holed up there. The posse had an Indian tracker however, who was better than good and before long Ryan and his two friends had to find a safer place and one was waiting close by. A cave, about a quarter of a mile back of the ranch house and the entrance so well hidden that the Indian tracker missed it.

Altogether, they'd spent two weeks in and around the abandoned place and Ryan fell in love with it. He'd never seen such grass and the water was good and there was plenty of it. The bottom land was lush, hardly touched and later when he met Nora, that cinched it.

With the check tucked safely in his pocket, he headed for town and went straight to Judge Lawson's office to settle the transaction. The judge's office was closed and a note in his small, fine handwriting stated he would be gone for three days.

With some degree of effort, Ryan bypassed his favorite saloon and walked straight to the livery stable where he intended to work until he could take over the ranch. He had no idea there was a poker game in progress at the stable.

There were four players—Slim Platt, Bat Marden, Fred Nash and Sheriff Steve Keating. All four looked up quickly as Ryan walked in and they all greeted him with good-natured cussing, showing they liked and welcomed him.

Ryan said, "Oh, no—I'm not sitting in this one. Just count me out, boys."

"Come on," Sheriff Keating said. "I won't whisper a word of it to Nora."

"You just got paid," Slim Platt yelled. "You're getting spookier'n a five-legged cow when it comes to taking a chance any more, Milo."

Ryan shook his head stubbornly. "Me—I'm just working here and I got plenty to do, so I'll just leave you gents..."

Behind Ryan the door was banged open and two men rushed into the room with drawn guns. One said, "All right—on your feet, and hands up."

RYAN SLOWLY backed away from them. He wasn't in the light, and they couldn't see him very well—but he knew who they were. The taller was Chance Duncan; the shorter and stockier was Jud Elby and two tougher, more dangerous gunslicks were hard to find. Ryan knew—for he'd ridden with them often enough.

Jud said, "Shell out, gents. One at a time—put your money on the table and for every dollar you hold out, there'll be a bullet in the guts. You first..."

His gun indicated Sheriff Keating was to be first and the sheriff took a forward step. As he did so, Ryan moved closer and drew the attention of both holdup men as he came into the light from the lanterns.

Chance let out a whoop of surprise. "Milo! I'll be damned—Milo Ryan."

"Ryan!" Jud shouted; "by damn, it's good to see you again."

Ryan said, "Boys, I work in this livery stable. These folks are friends of mine; I'm asking you to walk out real quiet and ride away."

Chance's smile of welcome changed to one of anger. "Who're you giving orders to? Reckon you ain't no better'n we are. Search them and we'll split three ways."

"No," Ryan said. "I'm not riding any more; I'm just asking a favor."

Jud spat on the floor. "What you're asking might get you a bullet in the belly. Milo. If you ain't one of us, you're against us."

Milo sighed deeply. He didn't have much besides the check and they couldn't cash that. He could get another easily enough, so he had no particular reason to fight; he moved over beside Sheriff Keating.

Chance spotted Keating's star and let out a loud laugh. "Hey, Jud, look what we drew! A real live sheriff! Well, what do you know."

"I don't like any sheriff," Jud said; "let's make this here town hold an election."

Keating was tensing to draw and fight it out, and in about two seconds Sheriff Keating was going to die. His right hand jerked toward his gunbutt—and that was when Ryan suddenly stepped in front of him and smacked him squarely on the jaw with a work hardened fist. Keating tumbled backwards, fell heavily and lay still.

Chance said, "Real nice work, Milo."

Jud grunted something, moved forward and slanted his gun down. "I'll see he don't lock nobody up any more."

Ryan said, "Jud!"

The gunman looked up and gasped; Ryan stood with his legs apart, his hand poised above his gun butt. Jud had seen that hand move before, knew how fast it could travel and how straight Ryan could shoot.

Ryan said, "You're an inch away from death, Jud. I don't want to kill you, but I will if you don't put up that gun fast."

Jud shrugged, turned away and went to work. He searched the sheriff first and took the badge away from him along with his poke. The others shelled

out and Chance gathered up their money. Then the pair backed to the door and were gone.

RYAN HELPED lift Sheriff Keating into a chair. Someone had a bottle of whiskey and this brought Keating around quickly. He looked about him in a puzzled manner and then memory came back. He looked at Ryan. "You're under arrest, Milo. Reckon you never did get away from them boogers. They ride in and you're here to help."

"Hold on, Steve," Slim Platt said quickly. "Milo saved you from being killed."

"He sure did," Nat Marden chimed in. "Twice! You didn't have a chance against them gunslingers and you should have known it. That's why Milo hit you—so you couldn't draw and give them a chance to kill you."

Keating nodded slowly. "I figure my brain ain't working too good yet. I'm sorry, Milo."

"It's all right," Ryan said. "I rode with those two before, and it's no more than right for you to think maybe I was going back to them. Well, I won't be; no matter what happens, I'm not going back to that."

"Good," Keating said. "Well, I reckon we better call this session off. If I can climb into my saddle, I'm going home. See you tomorrow."

Nora Keating was usually smiling, but not the next afternoon. She stood on the rock path to her home and waited while Ryan tied his horse to the white picket fence, opened the gate and walked up to her. He was newly amazed every time he saw Nora for he had never hoped such a girl would actually fall in love with him and promise to wait for him. She was hazel-eyed, with light brown hair that had tinges of auburn. She was straight and tall and she had a way of looking at a man that could make him want to turn his head away if there were many sins in his past.

She reached out both hands toward him and he took them. Nora said, "I've got bad news. Those two friends of yours who held up pa last night, shot up a mail car and passenger train. Pa just rode out with a U. S. Marshal."

"They're no friends of mine," Ryan said, "but I guess your pa isn't convinced of that. Are you?—that's most important."

"Yes," she said. "Yes, Milo."

"Then I'm not worried," he told her. "But I'd better go back to town in case your pa wants me. I just wanted you to know I got my pay check, and it won't be long before I own that little spread. Adios—and I wish I could stay longer."

But Sheriff Keating didn't return for two full days. Ryan stuck close to the stable and his job. When Keating finally returned, he was accompanied by three grim-faced men. Two were U. S. Marshals, and the other a railroad detective. Their first-hand stories of what had really happened made Blackrock wake up; the gunplay had been unnecessary and callous.

The town woke up some more when the railroad detective posted a notice that five hundred dollars would be paid for the capture of either outlaw, dead or alive. A few intrepid souls saddled up, oiled their guns and went hunting human prey.

RYAN WASN'T at all surprised when Sheriff Keating woke him up that morning by banging on the door of his hotel room. Ryan let him in. Keating dropped wearily into a chair while Ryan slipped into his shirt, pants and boots.

The sheriff said, "I'm going to ask you once, Milo—only once—if you got any idea where those two crazy killers are hidden."

Ryan went over to the dresser, poured water from the pitcher into the bowl and washed his face energetically. Finally, he towelled it while he studied the waiting sheriff carefully. "I can't answer that, Sheriff. If I knew

and they were caught, I'd be guilty of turning in two men who used to be my friends."

Keating snorted in a mild rage. "Friends! You can't call those two skunks your friends, unless you're exactly like them. They're cold-blooded killers. Well—I'm taking your word; you be at the stable tonight?"

Ryan nodded. "Reckon so. I work there."

"We're having a little game, Milo. Nothing more I can do about hunting down them two. They must be miles away by now, though I don't see how they ever got by the posses I threw out. Sometimes the more evil a man is, the better his luck is. Must have the devil on his side. See you tonight."

After Keating left, Ryan sat down on the edge of the bed and rumpled his newly-brushed hair. He did know where Jud and Chance might be. It was just a hunch, but he regarded it as a good one. Once before, when he'd ridden with them, and they'd been hard pressed, they'd found refuge at the old ranch. They could be comfortable in the shack; and if pursuit came close, they could run to that cave where they'd never be found. He wouldn't help them, but he wouldn't mention the hiding place either; he thought he owed them that much.

That night he welcomed the same quartet to the poker game and he quietly refused to sit in. It turned into a rather loud game, with some pretty fair stakes, but Ryan kept on working. He rubbed down horses, polished saddles, filled feed bins and took care of customers. Now and then, he stopped to look into the feed room and watch the game for a few moments. He was drawn to it. Gambling was in his blood and it was hard to stay out. The check in his pocket was beginning to burn.

It was after nine o'clock when Sheriff Keating got up from the table and called Ryan into the room. He said, "Milo, as a favor to me, sit in while I'm gone; use my chips and see if you can make me a million or so."

"I'd rather not," Ryan said.

Keating shoved him toward the table. "It ain't your money, but mine, and I'm inviting you to go ahead and lose it. I got me an errand to do, and I'll be back in half an hour."

Before Ryan could protest again, Keating was gone and the other three players were dealing him in. He sat down with a sigh, picked up his cards and the fever hit him hard.

Keating was gone almost a full hour and during that time Ryan had played well. He'd made about a hundred dollars for the sheriff and his luck seemed phenomenal. He was winning on jacks, sometimes, and the other players hadn't called one of his bluffs yet. Ryan got up reluctantly as Keating tapped his shoulder.

Then Fred Nash shrugged and got up too. "I'm just about cleaned," he announced. "My wife'll kill me I lose any more. *Adios*, gents—and Sheriff, that substitute who sat in for you is sure lucky."

Keating said, "Milo—just push my money over. I'll take Fred's chair. You just keep playing."

Ryan put the flat of his hands against the table, started to push himself up, weakened, sank into the chair again and then took out his cash. He had forty-odd dollars. There was a chance he might continue to clean up, using his own money. He might get together a few hundred which would go far toward putting the ranch in order. Ryan shoved his ante into the middle of the table, picked up the cards and started to shuffle.

In forty minutes he was broke. No run of luck had ever taken a more direct turn for the worse.

Keating said, "Here, son, I'll lend you fifty dollars; that kind of bad luck don't last."

ORDINARILY, Ryan wouldn't have accepted, but he wanted to get even

and the full fever was gripping him furiously. He accepted the money—lost it in twenty minutes and borrowed fifty more. By one in the morning he had borrowed a hundred and fifty and now had to ask for another fifty. Keating, the biggest winner, cheerfully obliged and Ryan picked up his cards and promptly went granite-faced. He had been dealt, cold, four deuces.

Slim Platt opened and Keating bumped it. Nat Marden stayed, grumbling about it but willing to gamble. Milo was tempted to raise it again, but didn't; no use scaring them off. Keating picked up the deck, dealt Slim three cards, Ryan one, Marden two and Keating laid one card down before himself. He inserted this card, still unseen, into the middle of the four he'd retained. Keating always did that when he filled in a straight or a flush. Milo waited confidently.

Slim bet, Milo raised and Nat Marden promptly dropped out. Keating raised again. After three more raises, Slim dropped out in disgust and it was between Keating and Ryan. The betting went on until Ryan slid his last coin into the middle of the table and called the sheriff. Then he triumphantly spread out his four deuces.

Keating sighed as Ryan reached for the pot and laid down four fives. "Had 'em on the go," he said. "Sure didn't figure you for four of a kind, Milo. Well—if nobody's got any objections, we'd better call the game over."

Ryan said, "I'll pay you soon's I can, Sheriff. I haven't any money now."

Keating looked surprised. "Sure you have. I wouldn't have loaned you the cash if I didn't know you were carrying about your pay check."

"But that's for the ranch," Ryan cried out.

Keating shrugged. "You should have thought of that before you sunk into the game so deep. I'll take that check, son—all properly endorsed."

Ryan wrote his name on the back of the check and signed away a ranch, a girl and a future. "I don't blame you none, Sheriff," he said. "I sure got taught a lesson tonight. Do me a favor—don't tell Nora. I'll do that myself when I get around to it."

Later, he wandered toward the hotel in the early dawn, glad the saloons were all closed because he felt like getting drunk. He clattered down the wooden sidewalk, passed Sheriff Keating's office and came to an abrupt halt. An official notice about the reward for Jud and Chance was posted to the wall beside the door. Ryan hadn't read it yet so he stepped closer and scanned the printed offer. He shrugged—wondering what kind of a chance they'd have with half the state looking for them. A thousand dollars was a lot of money...a great deal of money.

He slowed his steps—a thousand was about four times what he'd lost, and he was sure he knew how to find Jud and Chance. He came to a stop, rolled himself a cigaret and got it lit. Then he went over to a building corner which the first rays of the sun was beginning to warm and put his back against it while he smoked and thought.

BEFORE the town had really awakened, he was riding slowly out toward the hills. He might come back a thousand dollars richer—or he might not come back at all. He didn't dwell too much on either possibility. Maybe he could get them to give up quietly, though he doubted this very much; they'd face the rope—and both knew it by now.

Ryan rode until the sun grew warm and the glistening dew was gone off the lush grass and the trees covering the slope of the rise. He glimpsed the ranch with the sunlight full on it and if he ever had any doubts, they were gone now. That spread of fine grazing land was worth anything.

The farmhouse came into clearer view. It was rundown, sagging in places, but it looked like an oriental

[*turn to page* 82]

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MONEY BACK GUARANTEE!

palace to Ryan. Nothing could keep him from owning this. Even if folks turned their heads away as he walked past, because he was a traitor to the men he'd ridden with—he was still determined to turn Jud and Chance in. They deserved it and he needed the money. What more reason could a man have?

He tested the freedom of his gun in its holster, felt satisfied he could draw fast and rode directly up to the ranch house. He led his horse to the corral and turned it loose.

Ryan walked quite casually toward the house. He was far tenser than he seemed to be, however, because if Jud and Chance were inside, they might decide not to take a chance on a former friend and open fire before he could get set.

He pushed the door open and the hinges creaked like a rusty winch on an old well. The house consisted of three rooms, the biggest being the parlor where he now stood. In a dark corner Ryan found a cigaret. The tip of it was moist. It was a carelessly made smoke and used down to a point where a final drag would have burned the smoker's fingers—a smoking habit Chance Duncan had.

They'd been here and they'd come back. Right now they were probably in the cave. Ryan decided to wait them out. He returned to the corral, led his horse to the barn and stabled him there out of sight.

Jud Elby came into the room so quietly and so fast that Ryan didn't even have time to raise his sixgun before Jud had him covered. Ryan got to his feet slowly. Jud moved forward, a killer gleam in his black eyes.

Then he recognized Ryan in the semi-gloom. "By damn," he said, "it's Milo. Wait'll Chance hears you came back to ride with us. He was betting me ten to one you wouldn't."

Ryan said, "I came back to bring you in, Jud."

The outlaw laughed. "You ain't funny, Milo, but I know you mean to be on account of I could drill you in less time than it takes to draw a breath."

"Where's Chance?" Ryan asked.

Jud's gun remained dead center, but he gestured with his left hand. "Down the trail apiece. We take turns. He stands guard first while I sleep. How about it, Milo? You coming in with us?"

RYAN JUMPED to his feet, raised his gun and lunged to one side. Jud's gun exploded and, a fraction of a second later, so did Ryan's. The outlaw screamed in pain, let go of his gun and clapped a hand to his left side. Blood started seeping through the fingers and curses through his lips.

"Shut up," Ryan said roughly. "Walk to the wall and push tight against it. Hurry up, before Chance comes to see what the shooting was about. If he gets here before I have you tied up, I'll have to kill you before I can face him."

"You damn fool," Jud said softly. "We knew you'd be up here. The gal told us. Chance has got her now, so where do you think you get off? All we wanted to know was whose side you were on."

"You'll see," Ryan said. "Chance won't wait out there all night. He'll make his play, and when he does..."

Chance called out from somewhere down below the ranch house. "Milo... I know you're in there. The gal told me."

Ryan gasped a curse while Jud laughed at him. Chance was yelling again.

"Listen, Milo, if you came here to get me and Jud, you come out of there with your hands in the air and Jud walking back of you with a gun or I'll kill this girl."

Jud suddenly gave Ryan a weak shove and tried to reach the door. Ryan lashed him across the forehead with the muzzle of his Colt. Jud dropped and stayed quiet.

[*turn to page* 84]

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Chance called out, "You better come down, Milo. I ain't waiting long."

"I'm coming," Ryan said. He was in a cold sweat by now. He had to locate Chance in the dark, get him with the first bullet so he couldn't kill Nora —even by a trigger pulled by reflex action.

He moved on up the side of the hill and not down toward Chance. His idea was to get behind or beside the outlaw before Chance knew of it. Then Ryan heard Nora's scream, sharp and tormented. It was followed by a curse and the sound of a blow. Ryan's mouth went dry, his heart stopped beating and an all consuming hatred swept over him. The scream had placed them and he moved in that direction, coming toward the spot from the side and not from higher up as Chance might expect him to. The element of surprise was precious in this case.

Ryan stopped in his tracks when he heard Chance sing out. "Milo—I ain't waiting much longer."

Ryan drew his gun, fanned the trigger back and took a couple of forward steps. Chance yelled, "Milo...you gone crazy up there? Answer me or I'll shoot."

Ryan saw them then. Dimly, and too distant for proper shooting in this light —but at least he knew what he was up against. He had to move faster and yet remain very quiet. He ran a few steps. The dim forms swerved in his direction and then he realized Chance was holding Nora in front of him as a shield.

"Milo," Chance called. "Milo—if you're trying anything crazy, I got my gun against the girl's back and I'll blow her in half..."

He stopped short to listen. Ryan stood perfectly still, hidden behind a tree, praying silently that Chance would think he'd heard an animal prowling and not a human being. A full minute went by. Chance was gazing in the direction of the shack again. He'd hardly delay much longer.

RYAN WAS slightly below and behind him now. He raised his sixgun, aimed carefully and then lowered the weapon. Chance was a perfect target, but with Nora held against him, Ryan

[*turn to page* 86]

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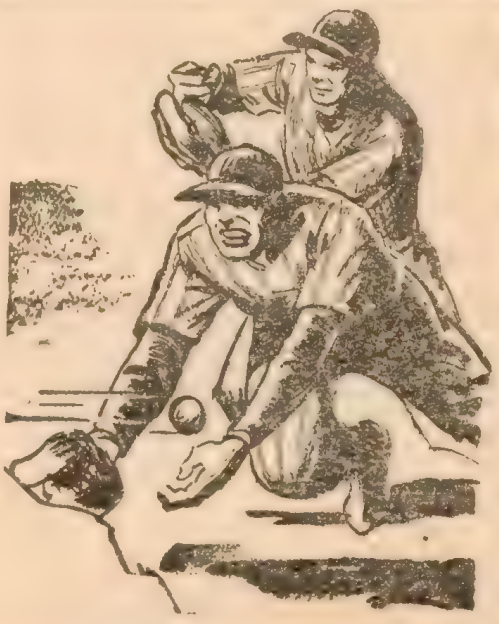

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didn't dare shoot. He knew the force of one of these .45 slugs. It might go clear through both of them. He bent and fumbled in the darkness along the rocky ridge until he found a good-sized stone. He transferred the gun to his left hand, lifted the stone into throwing position and moved up a little closer.

The only way that he could prevent Chance from shooting the gun he held against Nora's back was to shock the man so that he'd go temporarily numb. Ryan gambled with Nora's life, but it would be forfeit anyway even if he gave himself over to Chance.

Ryan was now not more than twenty feet behind Chance and still the outlaw had no idea danger was that close. Ryan suddenly hurled the rock and at the same time he fired his gun into the ground.

The rock hit Chance between the shoulder blades, the sound of the explosion reached him at the same time and the shock Ryan had hoped for, took effect. Chance was certain he'd been shot in the back. He was certain that he was all but dead, and his whole body remained paralyzed just long enough for Nora to twist free of him and throw herself down and away from the muzzle of the gun he held loosely.

Ryan could have killed him then. Chance was a wide open target, but instead of shooting, he lunged at the man—and Chance came out of his fear-induced paralysis with a loud yell of wrath and surprise. As he whirled about to protect himself, he opened fire.

Ryan was close—almost too close, and the bullet whizzed by him. Then

[*turn to page* 88]

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he reached for Chance's gun with both hands. He gripped a strong wrist and gave a hard yank. Chance came toppling toward him and they both plunged backwards. Chance still held the gun, but he had no opportunity to use it except as a club, but he did wipe the muzzle of it clear across Ryan's face, cutting deeply and sending a film of blood down over his eyes.

Weakened by the blow, Ryan felt himself stumble, fall and begin to roll. With a wild, savage yell, Chance came plunging after him, this time with his gun ready to shoot. The darkness swallowed Ryan up, but the outlaw could easily follow the sound of Ryan's sliding, rolling descent. He fired two shots, neither of which came very close for Ryan was moving faster than Chance realized.

Ryan flung out his arms and legs. The rolling stopped and the sliding slowed up some. Small stones were pelting him, dirt had cascaded down his collar, muddied the blood on his face, gotten into his eyes and his nostrils and his mouth.

Finally he came to a stop. Vaguely, he heard the scramble of boots against the hillside, but the sound was retreating. Chance was on his way back to find Nora and make good his threat to kill.

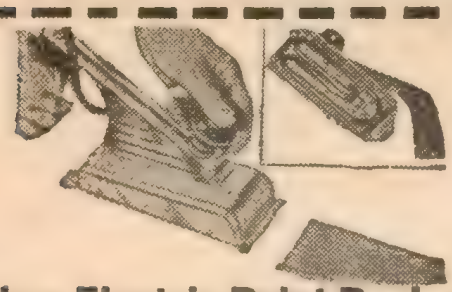
Ryan got to his feet as quickly as he could. "Nora," he called, "he's coming for you. Slide...roll...get away from there."

He heard her drop and begin to roll. Chance couldn't see her. He fired once, but had to conserve his bullets now, for there might not be a chance to reload. Nora slid on past the position on the hillside where Ryan was waiting. She must have been thirty feet to his left. Now Chance came plunging down after her. Ryan moved across the hillside to meet him.

PAIN SWEPT over him. He wasn't sure, but his left side felt as if all

[*turn to page* 90]

Meridian's NEWEST!



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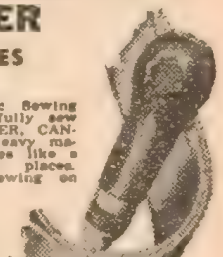

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the ribs were fractured. It pained him to breathe and the slightest movement of his torso caused him to break out in a chill sweat, but he went on and he knew he was going to have to tackle Chance again. His gun was somewhere up the side of the hill.

He stumbled and fell. Chance was moving faster because he was fresher and even more desperate. The darkness hid them from each other and they had to go by sounds. There was movement to Ryan's left and he threw himself down hastily. The sound was repeated and he made out the form of a horse, trying to pierce the darkness in its search for green leaves or grass. Ryan moved toward the animal. If it was Nora's, he was probably licked. If Chance's—there was one trick left. Nearing the animal, he saw the white spots and knew it was the outlaw's.

Ryan moved up warily, not wanting to frighten the already half spooked beast. He called the horse's name in a whisper, reached out and touched the muzzle, keeping the animal quiet. Then he located the saddle boot and whipped out the rifle it contained.

Chance called from the darkness. "I got her again, Milo. It ain't no more use to fight me, because I'll sure kill her this time."

"I'm coming, Chance," Ryan called back. "I'm all finished. I should have known better than to fight you. Just let Nora go. I don't care what happens to me—just let...her...go..."

He stumbled purposely and crashed down on top of a low bush; then he floundered a bit as if trying to get up. He moaned a couple of times.

"Chance...Chance...it's my leg. I busted it rolling down the damn hill. I...can't get...up..."

He pressed the rifle close to his chest and stomach and rolled off the bush and down about six feet where he checked his descent, pivoted on his belly and pointed the rifle upwards.

Chance, holding Nora before him,

[*turn to page 92*]

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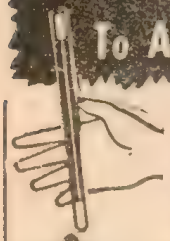

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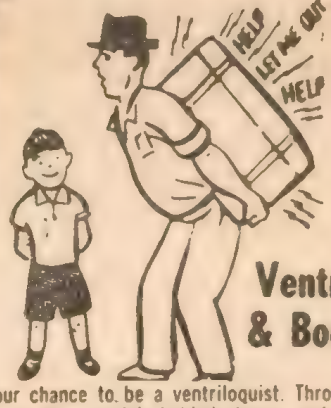

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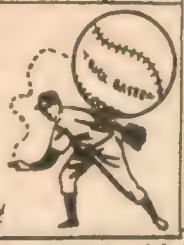

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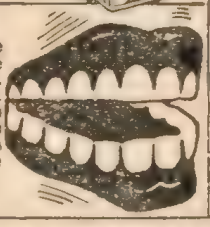

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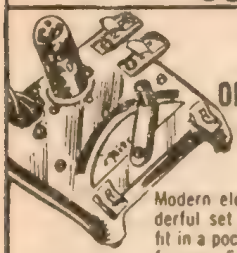

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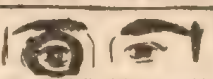

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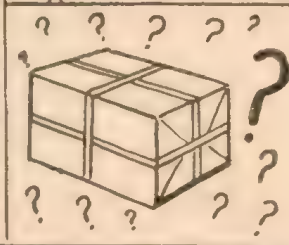

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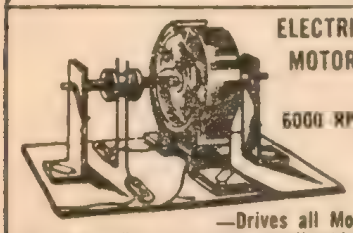

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came into view. His head and shoulders and her head were skylined against the top of the hill perfectly. Ryan snuggled the rifle to his shoulder and took very careful aim.

Chance said, "Milo...if this is a trick, you'll be damn sorry..."

Ryan sent the bullet and a prayer on its way, with Chance's head dead center in the rifle sights. For a small fraction of time there was no sound, no movement. Chance stood there, holding Nora to him, both quite motionless and then Chance started to fall. Nora, in pulling herself free of him, turned the man so he faced downhill. He went over, toppling like a lightning felled tree. The fall became a slide and he went on by the spot where Ryan stood.

"Nora," Ryan yelled at the top of his lungs. "Are you all right?"

"Yes, Milo. Come to me...hurry!"

He scrambled up the slope faster than he'd slid down it and she came toward him, sliding and stumbling, but she was on her feet when his arms tightened around her.

"Milo," she sobbed. "Oh, Milo, I thought he'd killed you."

SHERIFF KEATING rubbed his chin, listened to the rest of Ryan's story and then went back to the cell where Jud was being treated by the doctor. When he returned, Keating sat down heavily, opened his desk drawer and took out a pack of cards. He shuffled them slowly.

"Chance was drilled right through the ear. He never even knew what hit him, Milo. That was mighty good shooting in the dark."

"There were stars—a little light in the sky and he was skylined for me." Ryan said wearily. "I had to get him that way, or not at all."

"I know. Jud will live to hang. He's been cussing you out quite a lot. Says you wouldn't ride with them."

"Did you expect I would?"

Keating dealt a poker hand, turn-

ing the cards face up. "Well, no, I reckon not—but I couldn't be sure of course. To me, it seemed like you changed, but there were others who said you hadn't. There are folks who think a man can't change once he goes owlhooting or becomes a cheat.

"I changed," Ryan said glumly, "though I ain't none too sure why I did right now."

"What's eating you, son? You did real fine."

"Sure—all except with the most important thing. I lost that ranch. Just in case you forgot, you won my money; remember that?"

"With four fives against four deuces," Keating said. He scooped up the insignificant poker hand he'd played out and shuffled the cards again. "You played in bad luck that night, Milo. Bad cards and bad company."

"I don't understand that," Ryan said. "Bad cards, yes—but what was wrong with the company?"

Keating threw a card in front of Ryan from the well shuffled deck. It was a deuce. He dropped a five in

[*turn page*]

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front of himself. "I had to get them two outlaws, and I figured they hadn't rode over the hills into the territory on account of I had all the trails pretty well spotted. Then I remembered they got away from a posse before—when you rode with them. You understand—I had to find those men."

Keating dropped another deuce. Ryan watched wordlessly as another deuce and another five fell to the table. Keating went on. "I figured that the last time the posse chased all of you, there must have been a good hiding place and you must know about it. So I got a reward to be offered; a pretty good one, if I say so myself."

There were three deuces, three fives on the table now.

Ryan never lifted his eyes from the cards. "So you got me into that poker game. You whetted my appetite for gambling by letting me play your cards with your money and then Fred Nash quit so I'd sit in his place. Then you took me for every cent I had and loaned me more until I was busted."

A ten spot joined the three deuces and a jack kept company with the trio

[*turn to page* 96]

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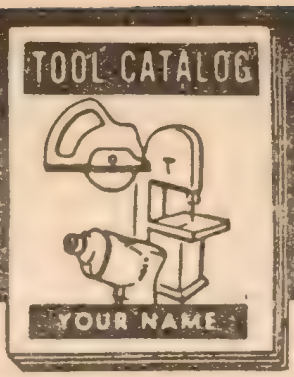

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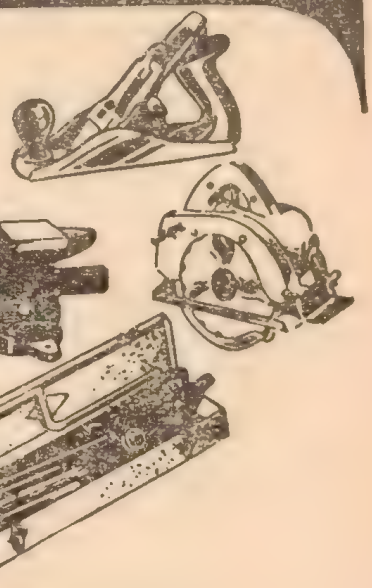

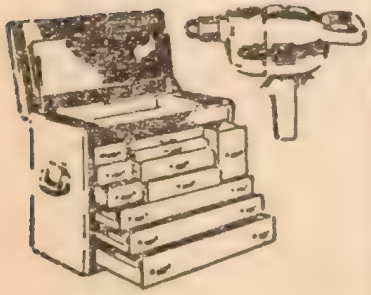

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of fives. Keating said, "That's about it. I took your check so you'd realize you couldn't buy that ranch and no ranch, no Nora. Something as big as that might make you understand that a man has to choose right when he has a choice between right and wrong. You went after Jud and Chance for the reward, because it meant the ranch and Nora."

Keating laid the deck down without dealing the last card, reached into his pocket and took out the folded check. He handed it across the table to Ryan.

"It's like this," Keating went on. "I knew a man could change no matter how bad he'd been. If I didn't think that way, I'd have killed you before I let Nora fall in love with you."

Ryan said, "I'm beginning to understand, I think. But what gave you so much faith when so few others had any at all?"

Keating picked up the deck of cards. "Some time back, there was a man who could make cards talk or dance. He cheated his way and that made a lot of money until he got caught and had to duck for his life. That set him thinking and he changed. He was an expert at dealing four of a kind, but he found out dealing 'em square is better even if the cards don't add up to so much."

Keating threw a fourth deuce and a fourth five on the table. Then he swept the cards up and into the table drawer.

"All right," Ryan said. "I understand. You cheated to get my check and make me go after Jud and Chance. It worked—but I've got my check back. What happens to the reward? Who gets it?"

Keating shoved his chair back, arose and grinned. "I do. Hell, you don't think I changed that much."

Ryan laughed. "Good—I *did* ride with that wild pair and I'd hate to take money for their blood. All I ask is one thing—don't get me playing poker against you. Maybe you might backslide just a little."

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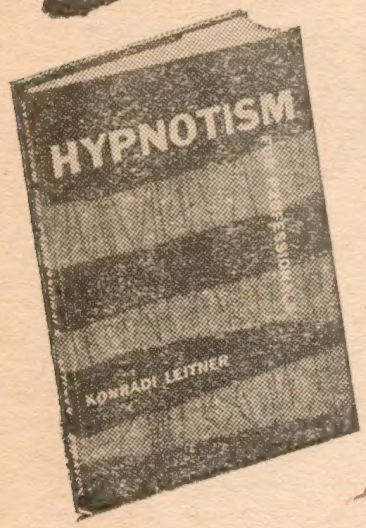

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ANSWERS

to the Western Brain-Mixers

1. John Ringo was born in Texas. Ringo was described as being a tall, handsome fellow and being well educated. He threw his life away at cards and drink.
2. Dodge City, Abilene, Caldwell, Wichita, Newton, Ellsworth, and Hays.
3. Ed Schieffelin died in 1897.
4. In the sign language of the Plains Indians a man indicates "water" by holding his cupped hand to his lips, as though drinking from it. The sign is also used to indicate the idea of "anxiety."
5. Doc Holliday, the most cold-blooded killer Tombstone, Arizona, has ever known, once practiced dentistry.
6. Ash-grey, not quite red hot. If hotter it is likely to smear.
7. Montana.
8. In the Wichita Mountains National Game Refuge in Oklahoma. Also on the Schreiner Ranch near Kerrville, Texas, and the Friedrich Longhorn Breeding Farm near San Antonio.
9. Colorado.
10. A rider belt is an extra wide belt often used by bronc-riders as a back support.
11. The headstall of a brow bridle has a brow-band around the horse's forehead below the ears and above the eyes and the main headstall strap goes behind the ears. An ear bridle is held snug on the horse's head by a slit or loop in the main strap, which slips down over one ear, usually the right ear.
12. Grumbling.
13. When they are made to his personal order and measure.
14. Carson City (Nev.), Kit Carson (Colo.), Cortez (Colo.), Coronado (Calif.), Crockett (Texas), Fort Bridger (Wyo.), Fremont (Ida.), Alvardo (Calif.), and several others.
15. Waltz.
16. Cottonwood, walnut, poplar, willow, ash, sycamore.
17. The quilts or comforters in a cowboy's bedroll.
18. "Necking" is a cowboy term for tying the neck of a wild cow critter or horse to the neck of a tame cow critter or horse in order to control or drive them.
19. No. Branding livestock was practiced 2,000 years ago, probably originated with the Egyptians.
20. Left side.

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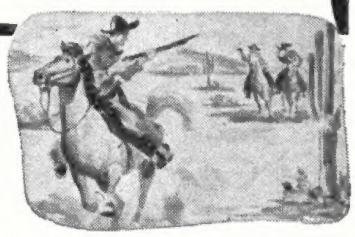

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